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Trial

of

Miss Madeleine M'Donald

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TRIAL

OF

MISS MADELEINE H. SMITH,

BEFORE THE HIGH COURT OF JUSTICIARY, EDINBURGH,
JUNE 30TH TO JULY 9TH, 1857,

FOR THE ALLEGED POISONING

OF

M. PIERRE EMILE L'ANGELIER,

AT GLASGOW.

SPECIAL VERBATIM REPORT,

WITH PORTRAITS AND PLANS.

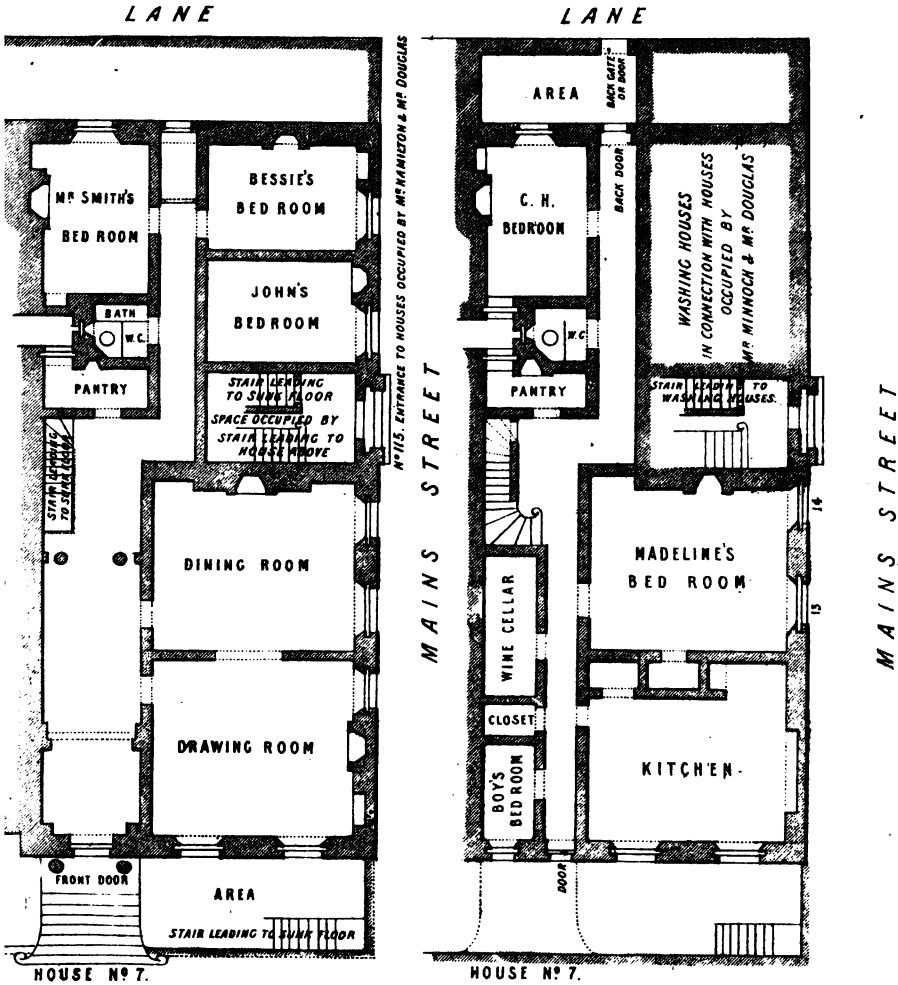
TENTH THOUSAND.

EDINBURGH: D. MATHERS.
LONDON: G. VICKERS. MANCHESTER: J. HEYWOOD.
GLASGOW: W. LOVE AND HENDERSON BROTHERS.
ABERDEEN: L. & J. SMITH.
DUNDEE: W. MIDDLETON AND J. GRAHAM.
PERTH: J. DRUMMOND.

1857.

MISS M H SMITH

M P L L'ANGELIER.



HOUSE Nº 7.
PLAN OF FIRST FLOOR

HOUSE Nº 7.
PLAN OF SUNK FLOOR.

BLYTHSWOOD SQUARE.

TRIAL OF MISS MADELEINE SMITH.

Tuesday, June 30, 1857.

THE High Court of Justiciary met at ten o'clock this morning for the trial of Miss Madeleine Smith, charged with the murder of M. Emile or Pierre Emile L'Angelier. The Judges present were—the Lord Justice-Clerk, Lord Ivory, and Lord Handyside. Lord Cowan also occupied a seat upon the bench. The doors of the Court were besieged at an early hour in the morning, but before the general public were admitted, nearly all the available space in the interior was appropriated by those provided with tickets of admission, and otherwise privileged to be present. The excitement which prevailed among the audience became intense as the hour of commencement drew on, and the utmost interest was manifested to catch a glimpse of the prisoner as she stepped into the dock. She appeared about half-past ten o'clock, accompanied by two policemen and a female attendant, and took her seat with the most perfect self-possession. She is of middle height and fair complexion, and wore a brown silk dress and a white straw bonnet trimmed with white ribbon. Her features wore an expression indicative of extraordinary nerve; and it was only by those nearest to the dock that any difference could be seen in the manner of the prisoner from that of the surrounding spectators. The following is a copy of the indictment:—

Madeleine Smith, or Madeleine Hamilton Smith, now or lately prisoner in the prison of Glasgow, you are indicted and accused at the instance of James Moncrieff, Esq., Her Majesty's Advocate, for Her Majesty's interest:—That albeit, by the laws of this, and of every other well-governed realm, the wickedly and feloniously administering arsenic, or other poison, to any of the lieges, with intent to murder; as also murder, are crimes of an heinous nature, and severely punishable: Yet true it is and of verity, that you, the said Madeleine Smith, or Madeleine Hamilton Smith, are guilty of the said crimes, or of one or other of them, actor, or art and part; in so far as (1st), on Thursday and Friday, the 19th or 20th days of February 1857, or upon one or other of the days of that month, or of January immediately preceding, or of March immediately following, within, or near the house situated in or near Blytheswood Square, in or near Glasgow, or situated in or near Blytheswood Square, and in or near Main Street, both in or near Glasgow, then occupied by James Smith, architect, your father, then residing there, and with whom you then and there resided, you the said Madeleine Smith or Madeleine Hamilton Smith, did wickedly and feloniously administer to, or caused to be taken by Emile L'Angelier, or Pierre Emile L'Angelier, now deceased, and then or lately before in the employment of W. B. Huggins and Company, then and now or lately merchants in or near Bothwell Street, in or near Glasgow, as a clerk, or in some other capacity, and then or lately before lodging or residing with David Jenkins, a joiner, or with Ann Duthie or Jenkins wife of the said David Jenkins, in or near Franklin Place, in or near Glasgow, a quantity or quantities of arsenic, or other poison, to the prosecutor unknown, in cocoa, or in coffee, or in some other article or articles of food, or drink, to the prosecutor unknown, or in some other manner to the prosecutor unknown, and this you did with intent to murder the said Emile L'Angelier, or Pierre Emile L'Angelier; and the said Emile L'Angelier or Pierre Emile L'Angelier having accordingly taken the said quantity or quantities of arsenic or other poison, or part thereof, so administered or caused to be taken by you, did in consequence thereof, and immediately or soon after taking the same or part thereof, suffer severe illness; Likeas (2d,) On Sunday the 22d, or Monday the 23d days of February 1857, or on one or other of the days of that month, or of January immediately preceding, or of March immediately following, within or near the said house situated in or near Blytheswood Square aforesaid, or situated in or near Blytheswood Square, and in or near Main Street aforesaid, you, the said Madeleine Smith, or Madeleine Hamilton Smith, did wickedly and feloniously administer to, or cause to be taken by, the said Emile L'Angelier, or Pierre Emile L'Angelier, now deceased, a quantity or quantities of arsenic or other poison to the prosecutor unknown, in cocoa, or in coffee, or in some other article or articles of food or drink to the prosecutor unknown, or in some other manner to the prosecutor unknown, and this you did with intent to murder the said Emile L'Angelier, or Pierre Emile L'Angelier, and the said Emile L'Angelier, or Pierre Emile L'Angelier, having accordingly taken the said quantity or quantities of arsenic or other substance, or part thereof, so administered or caused to be taken by you, did in consequence thereof, and immediately or soon after taking the same or part thereof, suffer severe illness; Likeas, (3d.) On Sunday or Monday the 22d or 23d days of March 1857, or on one or other of the days of that month, or of February immediately preceding, or of April immediately following, within or near the said house situated in or near Blytheswood Square aforesaid, or situated in or near Blytheswood Square, and in or near Main Street aforesaid, you, the said Madeleine Smith, or Madeleine Hamilton Smith, did, wickedly and feloniously, administer to, or cause to be taken by, the said Emile L'Angelier or Pierre Emile L'Angelier, in some article or articles of food or drink to the prosecutor unknown, or in some other manner to the prosecutor unknown, a quantity or quantities of arsenic, or other poison, to the prosecutor unknown; and the said Emile L'Angelier, or Pierre Emile L'Angelier, having accordingly taken the said quantity or quantities of arsenic or other poison, or part thereof, so ad-

ministered or caused to be taken by you, did in consequence thereof, and immediately or soon after taking the same or part thereof, suffer severe illness, and did on the 23rd day of March 1857, or about that time, die in consequence of the said quantity or quantities of arsenic or other poison, or part thereof, having been so taken by him, and was thus murdered by you, the said Madeleine Smith, or Madeleine Hamilton Smith; and you, the said Madeleine Smith, or Madeleine Hamilton Smith, having been apprehended, and taken before Archibald Smith, Esquire, advocate, Sheriff-substitute of Lanarkshire, did, in his presence at Glasgow, on the 31st day of March 1857, emit and subscribe a declaration, which declaration, as also the papers, documents, letters, envelopes, prints, likenesses, or portraits, books, and articles, or one or more of them enumerated in an inventory hereunto annexed, being to be used in evidence against you, the said Madeleine Smith, or Madeleine Hamilton Smith, at your trial, will, for that purpose, be in due time lodged in the hands of the Clerk of the High Court of Justiciary, before which you are to be tried, that you may have an opportunity of seeing the same: All which, or part therof being found proven by the verdict of an assize, or admitted by the judicial confession of you, the said Madeleine Smith, or Madeleine Hamilton Smith, before the Lord Justice-General, the Lord Justice-Clerk, and Lords Commissioners of Justiciary, you, the said Madeleine Smith or Madeleine Hamilton Smith, ought to be punished with pains of law, to deter others from committing the like crimes in all time coming.

Inventory of papers, documents, letters, envelopes, prints, likenesses or portraits, books, and articles, referred to in the foregoing indictment—

A letter, on two pieces of paper, commencing, "My dear Emile I do not feel;" and an envelope addressed "Emile L'Angelier Esq 10 Bothwell Street Glasgow."

A letter, on three pieces of paper, commencing, "My dear Emile Many thanks for your last kind epistle;" and an envelope, addressed "Emile L'Angelier Esq 10 Bothwell Street Glasgow."

A letter, commencing, "My dear Emile I now perform the promise;" and an envelope, addressed "Emile L'Angelier, Esq —— Clark, Esq Botanical Gardens Glasgow."

A letter, commencing, "In the first place I do not deserve," and ending with the words, "I cannot put it into my mind that you are at the bottom of all this."

A letter on two pieces of paper, commencing, "Wednesday My dearest own Emile Another letter so soon;" as also an envelope, addressed "Emile L'Angelier Esq No. 10 Bothwell Street Glasgow."

A letter, on two pieces of paper, commencing, "dearest Miss Perry Many, Many, kind thanks."

A letter, commencing, "Monday 3d My dearest Emile How I long to see you. It looks an age;" as also, a letter commencing, "Tuesday Morning Beloved Emile I have dreamt all night of you;" as also an envelope, addressed Mr L'Angelier Post Office Jersey."

A letter, commencing, "Tuesday 2 o'c My own darling husband I am afraid," and an envelope, addressed "Mr L'Angelier 10 Bothwell Street Glasgow."

A letter, on two pieces of paper, dated "Tuesday 20th April 56," commencing "My own my beloved Emile I wrote you Sunday night;" and an envelope, addressed "Mr L'Angelier 10 Bothwell Street, Glasgow."

A letter on two pieces of paper, commencing, "dearest Mary Emile will have told you that."

A letter, on two pieces of paper commencing, "Friday My own my beloved Emile—The thought of seeing you so soon;" and an envelope, addressed "Mr. L'Angelier 10 Bothwell St Glasgow."

A letter, on two pieces of paper commencing, "Wednesday Morning 5 o'c My own my beloved husband I trust to God;" and an envelope, addressed "Emile L'Angelier Esq. No. 10 Bothwell Street Glasgow."

A letter, commencing, "My dearest and beloved Wife Mimi Since I saw you;" and an envelope, bearing the word or name "Mimi."

A letter, commencing, "My dear Mary—I cannot thank you enough for writing to me in such a free and friendly style."

A letter commencing "Monday Night—My dearest Mary a thousand thanks for your dear kind note."

A letter or letters, on two pieces of paper, commencing "My own my darling husband. To morrow night by this time;" and an envelope addressed "Emile L'Angelier Esquire Botanical Gardens near Glasgow."

A letter, on three pieces of paper, commencing, "My own my dearest my kindest husband how I have reproached myself;" and an envelope addressed "Mr L'Angelier 10 Bothwell Street Glasgow."

A letter, on two pieces of paper, commencing, "Friday night—Beloved dearly beloved husband sweet Emile;" as also, a piece of paper with writing thereon, commencing, "If dear love you could write me;" and also an envelope addressed "Mr L'Angelier, Botanical Gardens Glasgow."

A letter, on two pieces of paper, commencing, "Dearest and beloved Emile—I shall begin and answer;" as also, a letter, commencing, "My sweet beloved & dearest Emile I shall begin and answer your dear long letter;" also, an envelope, addressed "Mr L'Angelier 10 Bothwell Street Glasgow."

A letter, commencing, "Friday evening—My beloved my ever darling Emile. I got home this evening;" as also, a letter or writing commencing, "Saturday morning—dearest and ever beloved I am just going down to Helensburgh;" as also, an envelope, bearing to be addressed "Mr L'Angelier 10 Bothwell Street, Glasgow."

A letter, on two pieces of paper, bearing to be dated, "Tuesday morning July 24th," commencing, "My own Beloved Emile I hope and trust you arrived safe home on Monday."

A letter, on two pieces of paper, commencing, "Saturday night 11 o'c Beloved and darling husband dear Emile I have just received your letter."

A letter, on two pieces of paper, commencing "dearest Mary What a length of time since I have written you."

A letter, on two pieces of paper, commencing, "Wednesday afternoon Beloved & ever dear Emile—All by myself so I shall write to you dear Husband;" as also, a letter commencing, "Wednesday night 11 o'c Beloved husband—This time last night you were with me;" also, an envelope, addressed, "For Mr L'Angelier at 10 Bothwell Street Glasgow."

A letter, on two pieces of paper, commencing, "Thursday evening—My own dear Emile how must I thank you for your kind dear letter;" also, a letter commencing with the following words, "Saturday night half past 12 o'c My own dear Emile I must bid you adieu;" also, an envelope, addressed, "Mr L'Angelier at 10 Bothwell Street Glasgow."

A letter, on two pieces of paper, commencing, "My own ever dear Emile—I did not write you on Saturday, as C. H. was not;" also a letter, commencing, "I have just got word of."

A letter, on three pieces of paper, commencing with the following words, "Tuesday morning My dear Emile —The day is cold so I shall not go out;" also, a letter commencing with the following words, "Wednesday My own dear little pet—I hope you are well."

A letter, on two pieces of paper, commencing with the following words, "Sunday evening 11 o'c My very dear Emile—This has been a long wet nasty day."

A letter, on two pieces of paper, commencing, "Friday night 12 o'c—My own darling my dearest Emile—I would have written you ere this."

A letter, written in pencil, bearing to be addressed "Mr L'Angelier," commencing, "Beloved Emile—I hope you will have this to-night."

A letter, on two pieces of paper, commencing, "Monday evening My own sweet darling—I am at home all safe;" as also an envelope bearing to be addressed "Mr L'Angelier 10 Bothwell Street Glasgow."

A letter, on two pieces of paper, commencing, "Thursday evening 11 o'c. My very dear Emile—I do not know when this may be posted."

A letter commencing, "Tuesday afternoon—I received your note my own my ever darling and dearest Emile. I thank you much."

A letter, on two pieces of paper, commencing, "I wish I had been with you to nurse you;" and also a letter or writing commencing, "Sunday evening 11 o'c—My dearest Emile—Your note of Friday pained me."

A letter, on three pieces of paper, commencing, "Thursday eveng ½ past 11 o'c—My dearest love my own fond husband my sweet Emile—I cannot resist the temptation of writing you a line."

A letter, on two pieces of paper, commencing "Sunday morning 1 o'c—Beloved and best of husbands;" also, a letter commencing. "My dear L'Angelier, I met Mimi again to-day with Bessie."

A letter, on two pieces of paper, commencing, "Tuesday night 12 o'c My own Beloved my darling I am longing for"—

A letter, on three pieces of paper, commencing, "Thursday night 11 o'c My beloved my darling Do you for a second think."

A letter commencing, "Thursday night 11 o'c My very dear Emile I hope you are well this night."

A letter, on two pieces of paper, commencing, "Monday My beloved my darling husband Why did I ever do anything to displease you."

A letter, on two pieces of paper, commencing. "Saturday night my own My ever beloved Emile Your dear letter of Thursday."

A letter, commencing, "Monday evening My dear Mary how very kind of you to remember me."

A letter, commencing, "Friday evening January 9th It is just 11 o'c and no letter from you;" also, a letter, commencing, "My own sweet one."

A letter, on two pieces of paper, commencing. "Saturday night 12 o'c My own dear beloved Emile I can not tell you."

A letter commencing, "Monday night My own beloved darling Husband I have written;" a letter commencing, "Tuesday My dear Emile it is very late."

A letter commencing, "Friday 3 o'c Afternoon—My very dear Emile I ought ere this to have written you."

A letter in pencil, commencing, "Monday 5 o'c. My sweet Beloved—I could not get this posted for you today;" also, a letter, or part of a letter, in pencil, commencing, "P.S. I dont think I should send."

A letter, commencing, "5 o'c Wednesday afternoon My dearest Emile I have just 5 minutes to spare."

A letter in pencil, commencing, "Sunday night ½ past 11 o'c—Emile my own Beloved—You have just left me;" also, a letter commencing, "Thursday 12 o'c My dear Emile I was so very sorry that I could not see you to-night."

A letter, on two pieces of paper, commencing, "I felt truly astonished to have my last letter returned to me;" also, a letter commencing, "You may be astonished at this sudden change."

A letter, commencing, "I attribute it to your having cold that I had no answer to my last Note."

A letter, on two pieces of paper, commencing "Monday night Emile I have just had your note"

A letter, on two pieces of paper, commencing, "Tuesday evening 12 o'c—Emile I have this night received your Note."

A letter, commencing, "Saturday My dear Emile I have got my finger cut."

A letter, commencing, "Wednesday dearest sweet Emile I am so sorry to hear you are ill."

A letter, commencing, "Friday My dear sweet Emile I can not see you this week."

A letter, commencing, "My dearest Emile I hope by this time you are quite well."

A letter, commencing, "dearest Emile I have just time to give you a line."

A copy of a letter on three pieces of paper, commencing, "My dear sweet pet Mimi I feel indeed very vexed that the answer."

A letter, commencing, "My sweet dear pet—I am so sorry you should be so vexed," and an envelope, bearing the following or similar address or words, "For my dear and ever beloved sweet little Emile."

A letter, commencing, "My own best loved pet. I hope you are well."

A letter, commencing "dearest & Beloved—I hope you are well I am very well and anxious."

A letter in pencil, commencing, "Dear Tom I arrived safe and feel a deal better," and bearing to be subscribed in pencil "Emile Angelier."

A letter, commencing "Edinburg Monday Dear Tom We rec'd your note on Saturday," and bearing to be subscribed "Emile L'Angelier."

A letter in the French language, commencing, "Mon cher Monsieur Je viens de recevoir la votre," and bearing to be subscribed "Emile L'Angelier."

A letter on two pieces of paper, commencing, "My dearest William It is but fair after your kindness to me," and an envelope, bearing to be addressed "William Minnoch Esqr 124 St Vincent St Glasgow."

A letter commencing, "Bridge of Allan 26th March—Dear Mary I should have written to you before;" and an envelope, bearing to be addressed "Miss Perry 144 Renfrew St Glasgow."

A letter commencing, "Bridge of Allan Friday Dear William I am happy to say I feel much better," and bearing to be subscribed "P. Emile Langelier."

A letter commencing, "Bridge of Allan Friday 20, March Dear Tom I was sorry to hear from Thuau," and bearing to be subscribed "P. Emile L.Angelier."

A letter commencing "Why my beloved did you not come to me."

A letter, in the French language, commencing, "Samedi soir 6 heures Mon cher Monsieur," and bearing to be subscribed "A. Thuau."

A phial, with a brown or other liquid therein, labelled "The Draught to be taken as directed, Mr Langelier."

A bottle, labelled "Cough Mixture"

A bottle, labelled "Camphorated Oil."

A phial, labelled "Laudanum."

A phial, containing a quantity of liquid, labelled "A teaspoonful every two hours in water."

A bottle, containing a white or other powder, labelled "For Cholera."

A bottle, containing a brown or other liquid, labelled "A table-spoonful to be taken thrice daily."

Four packets containing powders, and having a label attached thereto.

A bottle, containing a white or other powder.

A likeness or portrait, and a frame.

A likeness or portrait, and a leather or other case.

A phial, containing glycerine or other fluid, labelled "Glycerine and Rose Water."

A phial, containing a yellowish or other substance

A book, entitled "Fisher's Sale of Poison's Registry Book."

A glass bottle, labelled "Pickles."

A card, bearing the words "Emile L'angelier."

A tube, labelled "Powder from contents of Stomach."

A bottle, having a label attached, bearing the date and words "27th March 1857. Portion of prepared fluids from contents of stomach."

A bottle, containing a liquid, and labelled "L'Angelier Portion of prepared Fluid from stomach."

A bottle, having a label attached. bearing the words "Contents of small Intestine."

A jar, containing a portion of small intestine or other substance or substances.

A jar, having a label attached, bearing the date and words "Large intestine 31st March 1857."

A jar, having a label attached, bearing the date and words "31st March 1857 Portion of Liver."

A jar, having a piece of leather attached, bearing the date and words "31st March 1857 Portion of Brain."

A jar, containing portions of lungs and heart, or other substance or substances.

A packet, containing arsenic or other powder, bearing to be marked "Murdoch's Arsenic."

A packet, bearing to be marked "Currie's Arsenic."

A bottle, containing arsenic or other powder, and bearing to be labelled "Arsenic Poison."

A bottle, containing arsenic or other powder, and bearing to be labelled "Arsenic Poison."

There appeared on behalf of the Crown:—The Lord Advocate, the Solicitor-General, and Mr Donald Mackenzie, Advocate-Depute; Mr Brodie, Crown Agent. For the defence there were—The Dean of Faculty, Mr George Young, and Mr A. Moncrieff, advocates. The agents for the defence were—Messrs Ranken, Walker, and Johnston, W.S., Edinburgh; Messrs Moncrieff, Paterson, Forbes, & Barr, Glasgow; and Mr John Wilkie, of Messrs Wilkie and Fauld's, Glasgow.

Mr Young took an objection to the words "or cause to be taken," in the first and second charges of the indictment. on the ground that if they were precisely equivalent to the word "administer," they were superfluous and objectionable on that ground, and that if they meant anything different they were not covered by the major portion of the indictment.

The Lord Advocate said the words were not material in any way. They were substantially an interpretation or enlargement of the word administer, and if they were objected to he would strike them out.

The words having been struck out accordingly,

The prisoner was called upon to plead to the indictment, when she pleaded "Not guilty," in a distinct and unshaken tone of voice.

Owing to the absence of Dr Penny, an importan witness from Glasgow, a delay of about two hours was occasioned.

Dr Penny arrived at a quarter-past twelve, and, by the order of the Lord Justice-Clerk, was called into Court.

The Lord Justice-Clerk, addressing Dr Penny, informed him that he had kept the Court waiting for two hours, and inquired whether he had not been cited for ten o'clock?

Dr Penny replied that he had been so cited, but was not aware that it was necessary for him to be so soon.

The Lord Justice-Clerk told him that, by absenting himself, he had been guilty of great contempt of Court, and that he had no right to judge of the time when he would be required. His Lordship added that, from Dr Penny's character, they could not suppose for a moment that this was anything else than a singular disregard of the orders and forms of citation; and he trusted that this exposure would be sufficient to prevent a repetition of anything of the sort.

The following jury was then empanelled:—

James Christie, farmer, Hailes.
James Pearson, farmer, Northfield.
James Walker, farmer, Kilpunt.
Charles Thomson Combe, merchant, York Place.
William Sharp, Auckland Villa.
Archibald Weir, bootmaker, Leith.
Charles Scott, Shakspeare Square.
Alexander Morrison, carrier, Linlithgow.
Andrew Williamson, clerk, Parkside Place.
Hugh Hunter, cabinetmaker, Circus Place.
Robert Andrew, cowfeeder, Nether Liberton.
George Gibb, shoemaker, Glover Street, Leith.
William Moffat, teacher, Duke Street.
David Forbes, Scotland Street.
Alexander Thomson, Torphichen.

The trial then proceeded.

Mr Archibald Smith, Sheriff-Substitute of Lanarkshire, examined by the Lord Advocate, was the first witness called. He said—I know the panel. She was judicially examined before me, and emitted a declaration on the 31st March. Several letters and envelopes shown to the witness were identified. There were just four letters in all. She was examined on the charge of murder before her declaration was emitted. The greater part of the questions at the examination were put by me. The statements made in the declaration were all given in answer to questions. The answers were given clearly and distinctly. There was no appearance of hesitation or reserve. There was a great appearance of frankness and candour. The declaration is of considerable length.

Mr George Gray, clerk in the Sheriff-Clerk's Office, Glasgow, stated that he was present when the declaration was emitted by the prisoner.

Ann Duthie or Jenkins—I am the wife of David Jenkins, and live at No. 11 Franklin Place, Glasgow. I knew the late M. L'Angelier. He lodged in my house. He first came to me about the end of July. He remained in my house a lodger until his death. His usual habits were civil; but he was in the habit of staying out at night; not very often. He enjoyed general good health. Recollect his having an illness somewhere about the middle of February. That was not the first serious illness he had had since he came to lodge with me; he had one eight or ten days before. One night he wished a pass-key, as he thought he would be out late. I went to bed, and did not hear him come in. I knocked at his door about eight in the morning, and got no answer. I knocked again, and was answered, "Come in, if you please."

The Lord Advocate here preferred a request that the Court would allow the medical witnesses to hear that part of the evidence descriptive of the symptoms manifested by Mr L'Angelier before his death.

The Dean of Faculty said the proposal had taken him by surprise, and that, had notice been given, he might have acceded to the request, but in the circumstances he could not do so.

The Court, seeing that both parties would not consent, refused to admit the medical gentlemen.

Ann Duthie or Jenkins was recalled and continued —I went into Mr L'Angelier's room. He said, "I have been very unwell; look what I have vomited." I said I thought it was bile. It was a greenish substance. There was a great deal of it. It was thick stuff like gruel. I said, why did you not call upon me? He said that while on the road coming home he was seized with a violent pain in his bowels and stomach, and when he was taking off his clothes he thought he should have died upon the carpet, and no human eye would have seen him. He was not able, he said, to ring the bell. He asked me to make a little tea, and said he would not go out. I emptied what he vomited. I advised him to go to a doctor, and he said he would. He took a little breakfast, and then went to sleep until nine o'clock; about an hour. I went back to him then. He said he was a little better, and he would go out. He had got some tea by this time. Mr Thuau, who lodges in my house, saw him. He rose between 10 and 11 o'clock. His place of business was 10 Bothwell Street, at Messrs Huggin's. It is two streets off. He said he was going to call on some lady on his way there. After going out he returned about three in the afternoon. He said he had been at the doctor, and brought a bottle in with him. He took the medicine, and complained of being very thirsty. When he returned at three o'clock he still complained of being thirsty, but not so much as at first. The illness made a great change in his appearance. He looked yellow and dull, and not what he used to be. Before that his complexion was fresh. He became dark under the eyes, and the red of his cheeks seemed to be more broken. He complained of cold after he came in—of being very cold. He lay down upon the sofa, and I laid a railway rug over him. I did nothing for his feet. He never was the same after this illness. He got a little better. When asked how he felt he was accustomed to say, "I never feel well." I have nothing by which to remember the date of this first illness. I think the second was about the 22d February. On a Monday morning about four o'clock he called me. He was vomiting. It was the same kind of stuff as before, in colour and otherwise, but there was not quite so much of it. He complained on this occasion likewise of pain in the bowels and stomach, and of thirst and cold. I did not know he was out the night before. He did not say anything about it. I put more blankets upon him, put jars of hot water to his feet, and made him tea. I gave him also a great many drinks—toast, and water, lemon and water, and such drinks. That was because he was thirsty. I called again about six in the morning. He did not rise until the forenoon. He had bought a piece of meat for soup from one Stewart, in St George's Road, on Saturday the 21st. He kept a pass-book, into which he entered these things. The date of the pass book enables me to remember this. Identifies the pass-book. I see the piece of meat, 7 lbs. weight, entered on the 21st February. Recollect that this meat was sent home on the Saturday before this second illness. Dr Thomson came to attend him. He came on Monday. Thuau went for him. It was in the forenoon when the doctor came, but I don't remember the hour. The doctor saw L'Angelier, and left a prescription for powders which I got. L'Angelier was about eight days in the house at that time away from his office. He took one or two of the powders, but I don't know whether he took the rest. He said they were not doing him the good he expected. He said that the doctor was always saying that he was getting better, but he did not feel well. Dr Thomson came frequently to see him. He used often to say that he did not feel that he was getting better. Sometime after this, he went to Edinburgh. I don't remember the date of his going. He was, I think, about eight days at Edinburgh. Recollect his coming back; it was, I think, a Tuesday. Thuau told me about four o'clock of the same day that L'Angelier was coming back that evening, and I got in some bread and butter for him. [Identifies L'Angelier's pass-book containing account with Chalmers, a baker, St George's Road.] The entry for the bread is on the 17th March. He returned that night about half-past ten. He was in the habit of receiving a great many letters, but I thought they were addressed in a gentleman's hand. There were a great many letters in the same hand. Sometimes they came in yellow, and sometimes, I think, in white, envelopes. [Identifies some of the white envelopes; identifies, also, some of the yellow envelopes, but is not so sure of them as of the white] He never told me whom these letters were from. Remember seeing the photograph of a lady lying about his chamber. Indentifies the photograph. I said "Is that your intended, Sir?" He said, "Perhaps some day." I never thought the letters came from a lady. M. L'Angelier never said anything to me about taking in these letters. Knew from M. L'Angelier that he expected to be married. About the end of September 1856, he wished to engage a dining-room and bedroom. He told me he was going to be married in March, and he would like me to take him in. I did not agree to do so. There was one time I said it would be a bad job for him to be ill if he got married, and he said, "You'll not see that for a long time." When he came home on the 17th March he asked if I had any letter for him. I said no. He seemed to expect a letter, and to be disappointed at not finding it. He stopped at that time until the 19th. Before he went away he said that any letters that came were to be given to Thuau, who would address them. He said he was going to the Bridge of Allan. He went away about ten o'clock in the morning. A letter came for him upon the 19th. It was like the letters which had been in the habit of coming, and I gave it to Mr Thuau. I don't remember of any letters on the Friday, but there was one on the Saturday more like a lady's handwriting. I also gave this to Mr Thuau M. L'Angelier said he would not be home until Wednesday night or Thursday morning next week. He was very much disappointed at not getting a letter before he went away; and he said, "If I get a letter perhaps I will be home to night." He said he was going to the Bridge of Allan. I don't know whether he went anywhere else before going to the Bridge of Allan. Indentifies an envelope as like the one which came on Saturday, but could not speak as to another which was shewn. I next saw L'Angelier on Sunday night about eight o'clock. Was surprised to see him so soon. He said the letter sent had brought him home, and on his asking when it came I told him that it came on Saturday afternoon. He said he had walked fifteen miles, but did not say where he had come from. I understood he had been at the Bridge of Allan. He said he intended to go back to-morrow morning, and desired to be called

early. Do not remember whether he said he was going back to the Bridge of Allan. I think I only understood that. He looked much better, and, on being asked, said he was a great deal better and all but well. He went out that night about nine o'clock. Before going out he said—"If you please, give me the passkey for I am not sure but I may be late." He told me to call him early in the morning to go by the first train. He did not say what hour, but I thought it would be between seven and eight o'clock. It was about half-past two in the morning, as far as I can remember, when I next saw him. He did not use the pass-key in coming in, but rung the bell with great violence. I rose and asked who was there, and M. L'Angelier answered, "It is I; open the door, if you please." When I opened the door he was standing with his arms across his stomach. He said, "I am very bad; I am going to have another vomiting of that bile." The first time I saw the vomittings I said it was bile. He said, "I never was troubled with bile." He said he thought he never would have got home, he was so bad on the road. He did not say how he had been ill. He did not say whether it was pain, or whether he had been vomiting before he came up. The first thing he took was a little water. I filled up the tumbler, and he tried to vomit. He wished a little tea. I went into the room, and before he was half undressed he was vomiting severely. It was the same kind of matter as I had seen before. There was a light at the gas. The vomiting was attended with great pain. I asked "Whether he had been taking nothing to disagree with his stomach;" he said, "No, I have been taking nothing, and have been very well since I was at the Bridge of Allan." I said, "You never took any medicine, Sir;" he said, "I don't approve of medicine." He was chilly and cold, and wished a jar of hot water to his feet, and another to his stomach. I got these for him—three or four blankets and a couple of mats. He got a little easier, but about four o'clock he became worse; and on my proposing to go for the doctor he said he was a little better, and that I need not go so soon in the morning. About five o'clock he again got worse, and his bowels became bad. He had only been vomiting up to this time. I said I would go to the nearest doctor—one Dr. Steven. He asked what kind of a doctor he was, and told me to go and bring him. I went for Dr. Steven at five o'clock, I think. He said he could not come so early, but told me to give him twenty-five drops of laudanum, and put a mustard blister on his stomach, and said that if he did not get better he would come. When I came home, I told M. L'Angelier what the the doctor had said. He answered, "I never could take laudanum;" and as for the plaster, I could not put it on. But I gave him more hot water. He then began vomiting freely, and got a little better. His bowels and stomach still continued bad, and about seven o'clock I noticed he was dark about the eyes. I said I would go back to the doctor, and if I did not get him to come, I would go on to the next. He said he wished I would. I visited Dr Stevens, and he followed immediately. L'Angelier was anxious to get the doctor by that time. Dr Stevens came a little after I returned. I brought the doctor into the room, and he ordered mustard immediately. So I left the room to get the mustard. I did not hear the doctor ask L'Angelier what was the matter with him. When the doctor came in, I said, look what he vomited. He said the smell was sour, and that it was making him faintish. I don't remember L'Angelier saying anything about his illness. I was a good deal out of the room. I got the mustard, and the doctor said he would put it on and wait twenty minutes or so to see how it would do. He gave him a little morphia, too. I think the doctor would be in the room with his patient about half an hour. When I went into the room again, when I was putting the jar of hot water to his stomach, L'Angelier said that was the worst attack he had ever had, and I said I thought it was. "I feel something here," he then said to the doctor, pointing to his forehead. "It is not perceptible," replied the doctor, "it must be inwardly, for I do not see anything wrong." I asked the doctor whether there was anything else I could do for L'Angelier. He said time and quietness were what was wanted. I then signed to the doctor to come and speak to me. He went out of the room with me, and I asked him "What is wrong with him?" He said, "Is he a person that tipples?" I said, "No, quite the opposite—what is wrong with him? He is very unlike a person that tipples, I said. Is it not strange that he should go out quite well, and come back badly? Can you tell me the cause of it?" I will give you an explanation afterwards, returned the doctor. I opened the door for the doctor when he went away, and he said he would be back between ten and eleven. I went back to L'Angelier, and when he saw me he asked what the doctor had been saying to me, for he saw him go out of the room with me. I said "The doctor says you will get over it." He put the question to me again, and I made the same answer. Oh, he said, "I am far worse than the doctor thinks." I stayed till about nine o'clock. I am not positive, but I think it was about that hour. He looked bad. I thought he was very ill. He said, "If it would not be putting you to too much trouble, I would like to see Miss Perry." He told me her address. I think it was Back Street, but I don't remember the number; or maybe Renfield. Was it 144 Renfield Street? I don't recollect. I never saw the lady. I sent for her and she came. Before she came I went in and out of his room three or four times. He said, "If you please draw these curtains. Oh, if I could but get five minutes' peace I think I would be better." These were the last words I heard him speak. I left him then and I came back in five or ten minutes. I went quietly into the room. He did not speak, and I went quietly out again, thinking he was asleep. The doctor came not above five or ten minutes after. He said, "How is your patient." I said, "He is only over asleep, it is a pity to waken him." The doctor said he would like to see him. We then went into the room together. The doctor felt his pulse. He raised his head, and it fell down again. I said, "Is there anything wrong?" He said, "Draw those curtains;" and I did so. M. L'Angelier was dead. Do you think you have told us all M. L'Angelier said to you that night? All I can remember. I did not ask him where he had been. I had no reason to know or suspect where he had been; but I knew from the time that he told me he was going to be married that he was receiving private correspondence, but I did not know to whom. Was that the reason why you did not ask him where he had been that night? Yes; Miss Perry came, but she was too late. I sent my little boy to Mr Clark, another lodger. Mr Clark came, and Mr Chrystal, who keeps a druggist's shop. Mr Stevenson came, but not at that time. Mr Chrystal went into the room and shut his eyes. The body was still lying in the bed. He said he would send to his employers, but Mr Menzies, the undertaker, came first, then Miss Perry, then Mr Stevenson, and I think Mr Thuau came too, and Dr Thomson. Stevenson is one of the young men in Huggin's employment. When he came I told him I wished them to lock up what belonged to L'Angelier, and he did so. The clothes he

took off at night were laid on the sofa. He took a letter out of his pocket and some person—I don't remember whom—said this explained all. I saw the letter and said, "That is the letter that came came on Saturday." Thuau and Stevenson, and I think Mr Kennedy and Dr Thomson, were there. I can't say whether it was Stevenson or Thuau who said "this explains all: I think it was Stevenson. I recognised the letter that had come to him on the Saturday and said so. Stevenson locked up the things. At that time I don't remember anything being said as to having an examination. He was coffined the night he died, and I think they examined the wardrobe that night. But there was no examination of his body till, I think, on Wednesday. Till Stevenson locked them up, everything was left as L'Angelier died. When L'Angelier came from Bridge of Allan the night before he died, I can't say whether he wore a coat or jacket; but it was closely buttoned and short, and I remember seeing a handkerchief in it. He wore a Glengarry bonnet on his head. I did not see him go out; he had a bonnet on when he came back, but I can't say if it was the same. On his illness when he vomited so much, he had always bowel complaint.

Cross-examined by the DEAN—One illness was on the 22d February; there was an illness before that, but I can't say its date; it might be eight or ten days before the illness of 22d February, but I cannot speak to it. The first illness was a great deal worse than the second. I think it was in January he first complained of ill health; he first complained of his tongue, then a boil came out on his neck, and shortly after that another boil; that was in January. On these illnesses I suggested that it was bile that was the matter with him. I was troubled with that myself, and my symptoms were something the same as his, but not so violent. On these occasions there was a good deal of purging as well as vomiting. As to the illness of the 22d February, he dined at home on the Sunday. On the Saturday night he said he did not intend to go out the next day; he said he was not very well. He was taking fresh herring on the Saturday; I thought that was against him. I said I did not think herring good for him at that time of the year. He made a sauce of vinegar and egg, and I said that was not good for him. He was also, I thought, using too many vegetables. He said that when he was at College in France he used a good many vegetables. I have no recollection of his going out on the Sunday. I don't remember his asking me for the check-key. I think I would have recollected if he had done so. I can't bring it to my recollection whether he was out that night. He was confined to the house eight days after that Sunday; he was only out once, about the 23d or 24th. I don't remember him being out oftener. Dr Thomson continued to visit him during these eight days that he was in the house. After his first illness, he brought home medicine with him; the doctor wrote a prescription, and I sent for the powders; but I never recollect him bringing more. There were eight bottles in his room after his death; in one there was laudanum, and in another there was something which appeared to be rhubarb. The authorities got the bottles away. I think Mr. Murray was one of the parties who took them, and Mr. Stevenson. I don't recollect when they got them. It was some days after his death. I think it was more than a week after, but I am not sure. I was in the room when they took them away. Mr. Murray put some questions to me, but I do not recollect what they were. When L'Angelier went to the Bridge of Allan, he said if there was a letter he would be back perhaps that night. That was Thursday night. A letter did come, and it was sent after him by Mr. Thuau, but he did not come till Saturday. I don't remember a letter coming on Friday, but one came on Saturday between three and four; it was readdressed by Mr. Thuau and sent off; that would be about six o'clock when he came in to dinner. I think it came by the last post before dinner. He said he was a little better when he came from Edinburgh, but I knew a greater difference on him when he came from Bridge of Allan; he looked very much better. When he came on Sunday evening from Bridge of Allan he took some tea and a slice of cold toast, but nothing else. I did not see him go out; I knew he was at the water-closet before he went out; I did not see the dress he wore when he went out. I did not observe what he had on when he came home at two in the morning. The gas was out in the lobby, and when he went into the bedroom he was half undressed. He did not say that he had vomited on the way home; he vomited a great deal the morning that he died—the chamber-pot was quite full, and he vomited a very little after I emptied it; he was also purged twice—once before the doctor came, and once after. After sending for the doctor, I gave him hot water that made him vomit, and he was a good deal better after that; the chamber-pot was not emptied till after the doctor came. Before I went for the doctor he said he would go to the water-closet, but I would not allow him, and I said I would keep what he had vomited, and let the doctor see it. Among the things the doctor suggested I should give him was laudanum. There was laudanum in L'Angelier's press, but he refused to take it, and said he never could take it; besides, he said it was not good, it has been standing without a cork. After the doctor's visit, I told him the doctor said he would get over it. The doctor said so to me. I had asked him particularly, and he said he would get over it the same as before. On the morning of his death. I remember him complaining about his throat being sore. The doctor gave him some water, and he said it was choking him, or that it was going into his chest. I don't know whether his throat was sore. When he was in bed that morning, he had his arms always out on the bed-clothes; I don't remember his hands being clenched; his right hand was clenched when he died. I think Miss Perry came that morning about ten; when she came in I said—"Are you the intended?" and she said, "Oh, no, I am only a friend." When he asked me to send for Miss Perry, I supposed she was his intended. I told her he was dead; and she seemed very sorry. Her grief was very striking; she seemed very much overwhelmed, and cried a great deal. I was surprised at the excess of her grief.

By the COURT—The message I sent was that M. L'Angelier was very bad, and that she should come as soon as convenient.

By the DEAN—I don't recollect if she asked to see the body, but I took her in and showed it to her. When she told me she was not the intended, I said I heard he was going to be married, and how sorry the lady would be. When she went into the room she kissed his forehead several times. She was crying very much. Mr Scott, the undertaker, was present at this time, and I think my sister also. Miss Perry said how sorry she was for his mother. I don't remember her saying she knew his mother. M. L'Angelier had two wooden writing-desks in his room. I did not see the letters taken away; some of the clothes I knew about, but not the letters. I was not in the room when the officers searched his boxes and clothes. They rung the bell, and said they wanted to search them, and then said, "That is all that is required." I don't

recollect any ladies calling on M. L'Angelier; one old lady called with her husband, and took tea with him. Sometimes there were messages from other ladies. When he was ill, there was a jar of marmalade sent, and some books and a card along with it. On the card was "Mrs Overton." About the end of August or beginning of September he told me he had an illness. He said his bowels had been very bad, and that he had not been in bed all night. That was the same night there was a fire in Windsor Terrace.

Re-examined by the LORD-ADVOCATE—Shown a grey coat and Glengarry bonnet. These are his clothes. He had two or three Glengarry caps the same as this. Shown a small leather portmanteau. Witness identified it as his. When I said to Miss Perry how sorry the lady would be to whom he was to be married, she said not to say much about it, or anything about it—I don't recollect which. Shown a small morocco leather bag, and identified it as having been taken to Bridge of Allan by M. L'Angelier.

By the COURT—When I asked if he had taken anything which had disagreed with him, I meant had he taken anything at the Bridge of Allan which disagreed with him. I did not refer to his taking anything that night. I said had he taken anything when he was away that disagreed with him? and he said, No; he never felt better than when he was at the country. I did not ask him where he had been that night, because I thought he had been visiting his intended. My husband was from home, and only saw him once at the New-year time. The two letters which came on the Thursday and Saturday were readdressed by Mr. Thuau. I gave them to him whenever they were delivered. The second letter I took into the bedroom, and put it on the glass. I noticed that it was very like a lady's handwriting. Could not identify which letter it was that came on Saturday. I paid no attention to the one that came on Thursday.

By the DEAN of FACULTY—While L'Angelier was lodging with me, I was from home for six weeks, the end of August and the whole of September.

By the COURT—M. Thuau had been away in Edinburgh from the Saturday before L'Angelier's death.

James Heggie, examined by the LORD ADVOCATE—I am salesman to Mr Chalmers, baker, St George's Road. Shown pass-book between Mr Chalmers and L'Angelier. Under date 17th March there is an entry of some bread and butter got for L'Angelier on that day.

John Stewart, flesher, St George's Road, examined by the LORD ADVOCATE—Identified his pass-book with M. L'Angelier. On 21st of February there is an entry of 7 lb of beef, which was sent to M. L'Angelier on that day.

Catherine Robertson, lodging-house keeper, Elm Row, Edinburgh, by the LORD ADVOCATE—I remember about the 10th March a gentleman coming to my house for lodgings. He was a foreigner. He did not tell me his name, but I saw Mr L'Angelier on his portmanteau. He came on the 10th March, and left on the 17th. He said he had come from Glasgow, and that he was going to the Bridge of Allan. He appeared to be in very good health, but he told me he had been an invalid. He was in good health when he left me.

Peter Pollock, stationer, Leith Street, Edinburgh, examined by the LORD ADVOCATE—I knew M. L'Angelier. I remember seeing him on the 19th March last. He had come from Glasgow that day. He called at my shop in Leith Street. He said he had come from Glasgow for a letter which he expected to find at the Post Office in Edinburgh. I knew that he had been living in Mrs Robertson's for a week before; he told me so. He did not find the letter. He left Edinburgh on the day I saw him, about a quarter past four, for the Bridge of Allan.

By the DEAN—I saw him about two o'clock. He said he had come straight from Glasgow, and for the purpose of receiving a letter. He said there was no letter: he told me this again. I saw him first at two, and then in about half-an-hour afterwards he returned and said there was no letter. He left my shop about three o'clock, and said he was going to the Bridge of Allan. This was on a Thursday.

Mrs Jane Bayne, Bridge of Allan, examined by the LORD ADVOCATE—I recollect M. L'Angelier coming to my house on Thursday the 19th March, between five and six o'clock in the evening. He wanted lodgings and took them in my house; he stayed till Sunday. I recollect his having a small leather bag with him; he seemed to be in good health and spirits, and took his meals well. He left on Sunday just after two o'clock. I did not hear him say why he left. He had intended staying longer.

Charles Neil Rutherford, Bridge of Allan, examined by the LORD ADVOCATE—I was postmaster of Bridge of Allan in the beginning of the year. Shown envelope addressed M. L'Angelier, Post Office, Bridge of Allan. I don't recollect this letter; but it must have come to the office on the 22d March. I don't remember to whom it was delivered. I recollect a gentleman leaving a card with the name L'Angelier upon it; that was about the 20th. I gave that letter to him when it was called for.

By the DEAN—I can't say anything about the letter except from the postmark; it has the Glasgow postmark, and the Bridge of Allan postmark; all that is on it is Bridge of Allan, 22d March, 1857; the letters on the stamp signify that it arrived at half-past ten in the morning; that letter would leave Glasgow about seven A.M.

William Fairfoul, guard of the Caledonian Railway—I was the guard of the train which left Stirling in the afternoon of the 22d March last; it left Stirling at half-past three. A gentleman, apparently a foreigner, travelled by that train to Glasgow. I did not know his name at the time, but I know it now. Shown a photograph of M. L'Angelier. I recognise this as a likeness of the gentleman. He went in the train from Stirling to Coatbridge, the nearest part to Glasgow. I asked if he wanted a machine, and he said no, he was hungry and wanted to be shown a place where he could get something to eat; he said he was in no hurry to Glasgow, if he got in at night. There was a Mr. Ross, an auctioneer, who came from Stirling. I showed M. L'Angelier and he the road to Glasgow, and they started together. I saw him get some roast beef before leaving; he ate it very heartily. I was with him all the time. He took some porter with the beef.

By the LORD JUSTICE-CLERK—I stopped at Coatbridge. I don't go beyond that.

By the DEAN—There were only about eight passengers of all classes in the train. None except Ross and this gentleman stopped at Coatbridge. I am quite certain of that. I had never seen Ross before that day, and have never seen him since. Mr Miller, from Glasgow, told me his name. Mr Miller was engaged in the defence. I never saw either Ross or L'Angelier before or since, and I did not know their names or anything about them. I was first examined about this matter four or five days after the occurrence. I was told at Greenhill that I was wanted by the Fiscal at Stirling; and I was examined by him. Deceased got the food in M'Donald's, at Coatbridge. I saw him take the beef. He ate a good deal; but neither Ross nor I ate. Witness identified Ross.

Thomas Ross, auctioneer, Govan Street, Hutchesontown, Glasgow, examined by the LORD ADVOCATE—I recollect being in Stirling on the 22d March, and leaving by the train in the afternoon for Glasgow. I went by the train to Coatbridge. I did not observe a foreign gentleman in the train, but I saw him when he got out. I did not know his name. The guard said he was going to walk to Glasgow, and I was going to do the same. Before starting, he had some roast beef and a small bottle of porter. I saw him take it. We then started for Glasgow, and I think we took a little more than two hours to get there. It was twenty minutes past five when we left, and it was rather more than half-past seven when we reached Glasgow. The distance is eight miles. He had a Balmoral bonnet on his head—like one shown to witness. He walked well, and did not appear tired when he got to Glasgow. He smoked several times on the road. He did not tell me who he was. He appeared in good health and spirits when we parted. We parted at the top of Abercromby Street, Gallowgate. He said he was going to the Great Western Road.

By the DEAN—He said he had come from Alloa that morning, and that he had walked from Alloa to Stirling. He said the distance was eight miles. He said nothing that I remember about the Bridge of Allan. Our conversation was chiefly about local affairs, such as the scenery around us. He did not eat a great deal at Coatbridge. He told me he had presented a cheque at the bank at Stirling either the day before or some other day, and that they would not cash it, he being a stranger. Abercromby Street is about the middle of the Gallowgate. I was in no house with him on the way from Coatbridge to Glasgow, and in no shop.

By the LORD ADVOCATE—We left Coatbridge at twenty minutes past five.

William Stevenson, warehouseman, Abercromby Street, New City Road, Glasgow, examined by the SOLICITOR-GENERAL—I am in the employment of Huggins & Co., Bothwell Street. The late M. Angelier was in our warehouse, in the same department under me. He was unwell in March last, and got leave of absence. I understood he was going to Edinburgh. He afterwards went to the Bridge of Allan. I did not see him between his going to Edinburgh and his going to the Bridge of Allan. I got a letter from him from the Bridge of Allan; it bears the post-mark, "Bridge of Allan, March 20," I think. It is as follows:—

"Bridge of Allan, Friday—Dear William,—I am happy to say that I feel much better, though I fear I slept in a damp bed, for my limbs are all sore, and scarcely able to bear me, but a day or two will put all to rights. What a dull place this is. I went to Stirling to-day; but it was so cold and damp that I soon hurried home again. Are you very busy? Am I wanted? If so, I am ready to come home at any time. Just drop me a line at the Post Office. You were talking of taking a few days to yourself; so I shall come up whenever you like. If any letters come, please send them to me here. I intend to be home not later than Thursday morning.—I am, &c., P. EMILE L'ANGELIER."

This is M. L'Angelier's handwriting. He was generally addressed Emile. I answered that letter. Identify the answer which I sent, acknowledging the receipt of the foregoing letter. I recovered this letter in reply in the Post Office at Bridge of Allan. I was sent to Bridge of Allan to take possession of M. L'Angelier's property, and I got the letter at the same time. This was on Friday the 27th. He had been in the employment of Messrs Huggins about four and a half years. I got notice of his death in the 23d March, and went on receipt of that intelligence to the French Consul's office. I saw there Mr Thuau, who told me that L'Angelier's medical attendant was Dr Thomson, and I sent for him. I saw L'Angelier's corpse. Was told that Dr Steven also had attended, and sent for him. They said that an examination of the body was the only way of explaining his death. There was then no suspicion about it. I authorised them to make a *post mortem* examination the following day. In consequence of what I learned at the examination I informed the Procurator-Fiscal on Tuesday. I saw them commence the *post mortem* examination. I did not expect L'Angelier in Glasgow on the Sunday night; that was inconsistent with his letter to me. When I went to his lodgings on the Monday, his clothes were lying on the sofa in his room. I examined them, and found various articles—a comb, tobacco, three finger rings, 5s. 7½d., a bunch of keys, and a letter. The letter was in his vest pocket in an envelope. I identify the letter. It was read as follows:—

"Why, my beloved, did you not come to me? O! my beloved, are you ill? Come to me. Sweet one, I waited and waited for you, but you came not. I shall wait again to-morrow night—same hour and arrangement. Oh, come, sweet love, my own dear love of a sweetheart. Come, beloved, and clasp me to your heart; come, and we shall be happy. A kiss, fond love. Adieu, with tender embraces. Ever believe me to be your own ever dear, fond MINIE." The letter was addressed "M. E. L'Angelier, Mrs Jenkins, 11 Franklin Place, Great Western Road, Glasgow." I made some remarks on getting that letter, but I don't exactly recollect what they were. I said the letter explained why he was in Glasgow, and not in Bridge of Allan.

By the LORD JUSTICE-CLERK—I did not know who Minie meant.

By the SOLICITOR-GENERAL—I was intimate with him in business, but not otherwise. I found a bunch of keys in his pocket, which I took with me, and I kept them. I put them in the possession of Mr T. F. Kennedy, our cashier. I knew that M. L'Angelier had a memorandum-book. I remember having it when coming from his lodgings after seeing the body. I got it in his lodgings, but cannot tell when. Identify the memorandum-book (a pocket note-book), and also the handwriting. I made it into a parcel, and sealed it up. I subsequently gave it up to police officer Murray, and, not then, but afterwards, marked it with a label attached. I know the memorandum-book.

By the DEAN—The label attached, stating that the book was found in a desk in Huggins & Co.'s, was signed by me and two officers on the 30th March. I testified that the book was found in the warehouse, but I originally got it in his lodgings. I put it into L'Angelier's desk. It was not sealed up when I put it into the desk. I did not take it out of the desk at any time after putting it in. I am not certain which of the officers took the book out of the desk. I mean to certify by that label that they found it there; they took it that day; it was there when they came; I saw it when I opened the desk on the day they came; I am not aware that anybody saw me find it in his lodgings. I found it on Monday. Dr Steven and Dr Thomson, and Mr Thuau and Mr Wilson, and perhaps Mrs Jenkins, were in the room. I am not aware if any of them knew that I had found the book in his lodgings. I can't tell how long after I found it I put it into the desk. I can't say if it was the same day. It was the same week. I carried it in my pocket from the house to the office; but I can't tell how long time elapsed

before I put it in the desk. I sealed it and laid it down on the desk. I found it there again. I can't tell how long it lay. I came in with it in the afternoon to the warehouse, and I think it remained till next day (Tuesday). I don't mind of putting it into the desk, so that I can't speak definitely to that. I saw it several times on the Monday afternoon on the desk, and it was opened once or twice that afternoon by me. Others might open it. It was sealed and opened and sealed again. I don't recollect when I saw it next. I saw it after that in the desk. I think upon the Wednesday morning, the Fiscal requested me to bring some letters to him, and on going into the desk for them I saw it. I took some of the letters to him; I did not take the book. It was not sealed then. I had the key of the desk; it was on the bunch I got in his pocket. I was aware that the lock of the desk was in a frail state. I did not know that the back of it was in a frail state. He had complained to me that lads about the office got into it. I saw the book repeatedly in the desk, but I can't say when I saw it out of the desk in the Fiscal's office. I saw it when I signed the label. I had seen it before finding it in his lodgings. When he complained that his desk was in a frail state, I looked at his desk, and saw a book lying in it like this. I never saw him write in this book. Between the Monday and the time I signed the label it was opened frequently. I was always present, but there were others looking at the letters. There were Mr. T. F. Kennedy, cashier; Mr. Wilson, the invoice clerk; and Mr. Miller, one of the warehousemen. There may have been others belonging to the same department, but none who were strangers to the establishment. The Rev. Mr. Miles was in the warehouse several times after M. L'Angelier's death, but I don't think he saw any of the letters. He came to ask about M. L'Angelier. I stated at one time that I was under the impression that I found the book in the desk in the warehouse, and not in the lodgings. I stated so in my precognition. A few days ago, I wrote to Mr. Hart, the Fiscal, correcting the mistake. I never made any inventory of the clothes or other things found in his lodgings, or of the letters.

By the SOLICITOR-GENERAL.—On the Monday when I found the book I turned over the pages; I did not take notice of any of the entries. Under date 11th February I see an entry; that is L'Angelier's handwriting, and the book is in his handwriting from that date onwards. I see an entry on Saturday, 14th March; and that seems to be the last. All the entries from 11th February to 14th March inclusive are in L'Angelier's handwriting.

By the DEAN—They are in pencil, and some of them very faint.

By the SOLICITOR-GENERAL—I was accustomed to see him write in pencil.

The SOLICITOR-GENERAL then proposed to read the entries, to which the Dean objected, and the witness was removed.

The DEAN held that this was no evidence that the book was a journal at all. It might be a memorandum-book, but he understood it was proposed to use it as a journal.

The LORD ADVOCATE said they proposed to prove that these memoranda were in the handwriting of L'Angelier. They bore to be written on certain days. Whether it was proved that they were written on these days was another matter. They would prove that many things happened on the days on which they were written.

The Court retired for consultation, and on their return,

The LORD JUSTICE-CLERK said they were of opinion that, in the present state of the case, and with the information the Court had, they could not allow these entries all to be read. At present they did not know the individual by the name in the entries, or by the blank that occurred in one or two of them. They gave no opinion as to whether it would be competent to have the entries read when a foundation was laid for them.

The witness recalled.—When I was at Mrs Jenkins' on the Monday I did not see two desks. I did not examine his repositories at all on the Monday. I saw no letters except the one I found in his vest pocket. On that day I examined his desk in the office. I saw a great many letters there. Some of them I examined. They were principally in the same hand. I locked the desk. I went to the Bridge of Allan on Friday. I went to his lodgings there, and Mrs Bayne showed me a leather portmanteau, hat, cigarette case, a little travelling bag, a little dressing-case, and a travelling-rug, belonging to the deceased. Witness identified these articles. I desired her to send them to Huggins' office, and they arrived there next day or on Monday. The portmanteau and bag were locked. I found the keys in L'Angelier's clothes. On opening the bag I found a small leather case for holding letters. There were several letters in it. In the portmanteau I found clothes and a prayer-book, but no letters. I locked the leather bag, leaving the papers inside. Murray, the officer, came on the Monday after, and I sent the bag and portmanteau to Mrs Jenkins' house. I gave Murray the letters and papers that were in the desk on the Monday; they were put into a box. I sealed the box in Murray's presence, and it was taken to the Fiscal's office. I initialed a number of the letters several days afterwards. I believed them to be the same from the handwriting. I went with Murray to Mrs Jenkins, and opened the small leather bag; he took it away, and I afterwards saw it opened in the Fiscal's office, and the letters taken out. I took the key there for that purpose. I saw Murray examine Angelier's desks in Mrs Jenkins' that Monday, and he took possession of the letters found there. Some of them seemed to be in the same handwriting as the others previously got. I saw him take all the letters found in Mrs Jenkins; they were put in a piece of brown paper. I could not say afterwards which letters had been found in Mrs Jenkins', and which in the office. (Shown four letters.) Depones these are in M. L'Angelier's handwriting. I was at the funeral of the deceased. It took place in the burying-ground of St David's Church. The funeral was on Thursday; and I saw the body exhumed; on Tuesday the 30th I saw the body in the hands of Dr Steven and Dr Corbett, and recognised it as that of M. L'Angelier. I read some of the letters which were in the small bag; shown letter commencing "Wednesday—Dearest sweet Emilie, I am so sorry to hear that you are ill," that letter was in the small bag; I marked "bag" upon it when I initialed it. Shown letter commencing—"My sweet dear pet—I am so sorry you should be so vexed," and with an envelope bearing "For my dear and ever-beloved sweet Emile"—that was in the bag. It is marked by me in the same way. The envelope of letter commencing "My own best loved pet—I hope you are well," was in the bag, but I have not marked the letter, but if this is its envelope it was there too. The letter commencing, "Dearest and beloved, I hope you are well, I am very well and anxious," I can't speak to. Witness also spoke of other three letters as being found in the bag. So far as I examined the documents in the bag I kept the letters in their original envelopes, and delivered it locked to the officer. I did not shift the letters and envelopes to my knowledge

It being now after six o'clock, the Court adjourned till to-morrow morning at ten.

SECOND DAY.—Wednesday, July 1, 1857.

THE Court met at ten o'clock this morning, when Miss Smith was again placed at the bar, looking quite as cool and collected as yesterday.

William Stevenson, whose evidence was not concluded last night, was again examined by the SOLICITOR-GENERAL. Before the great mass of the letters were taken possession of by Mr Murray, I had handed some of them to the Fiscal on Wednesday morning the 25th. I handed them personally to Mr Young. I did not mark them, but I took a note of the dates at the time. I have not that note with me; but I have the numbers which I saw afterwards put on the same letters.

By the COURT—The Fiscal did not mark them when I gave them. I took the note when the numbers were put on.

By the DEAN—I had a note of the post-marks, and they corresponded; I think there was one without a post-mark. I have not my note of the post-marks.

The DEAN—It is extremely loose, this sort of evidence.

The LORD JUSTICE-CLERK—Nothing can be looser or more singularly unsatisfactory than that there should be the slightest deficiency in the proof in such a case.

By the DEAN—Mr Wilson, Mr Young's clerk, I think, was present at the time. To my knowledge the Sheriff was never present at any precognition, or at any other time. Mr Hart has been present. I understand Mr Young is a Procurator-Fiscal. I destroyed the note of the post-marks.

By the LORD JUSTICE-CLERK—I think the Fiscal knew I had taken that note. He never told me to preserve it.

By the DEAN—He saw it, but I don't think he examined it.

By the SOLICITOR-GENERAL—On that Wednesday I think I gave the Procurator-Fiscal seven or eight letters. Shown letter No. 75. This is one of the letters. I know it by the number, and by my initials on it. I recognised it at the time from the postmarks, of which I had a note, and then I put my initials on it. The word "desk" is written on it by me; that means that I got it in the desk in the office. Shown letter No. 93. This is one of them too; it is marked "desk" by me, indicating the same thing. Shown No. 97, 107, and 109. These are also letters which I gave to the Fiscal, and they are marked by me as having been found in the desk. I can't speak to No. 79. As to the letters I gave up on the Wednesday I read portions of some of them. I did not read them when I marked them afterwards. I first communicated with the Fiscal on this subject on Tuesday afternoon. That was after the doctors had made their *post mortem* examination at that time. I entertained no apprehension that this was to be a criminal charge; on the Wednesday I felt uncomfortable about it, but nothing further. My feelings at that time of discomfort pointed to a particular quarter where he was likely to have been.

By the DEAN—The entry in the memorandum-book as to the number of the letters I made when the letters were numbered. My own numbers in that book are 3, 31, 45, 53, 54, and 56; they are six in number. I can't speak to No. 56. The letters which I gave to the Fiscal on the 25th were seven in number, including the tter I got in his vest pocket. I am not aware that I have seen No. 56 since I wrote that memorandum. The numbers they now bear were put on in the Fiscal's office. I can't say how these particular numbers came to be put on these particular letters. These five letters have all envelopes, and the postmark is on the envelope only. When I checked the postmarks from the note I had made, I believed them to be the same letters as were in the envelopes before. I had no means of identifying the letters themselves, but only the envelopes. There is no date in this memorandum-book enabling me to tell the date when these numbers were put on. There is a date—24th April, 1856.

The LORD ADVOCATE—Read the item.

Witness—No. 86, 100 cool shawls at 3s. 6d.—MacDonald.

By the DEAN—There is no other date on that page; on the preceding page there is a date "22d April, signed precognition." Before that there is "Saturday, 18th April, eight bottles, bundle of powders, and affirmed to their being the same as those found in Mrs Jenkins's." On the preceding page there is the following entry:—"Monday, 30th March.—Gave up L'Angelier's papers and letters from his desk to Murray, and ——." In the immediately preceding page, before the first entry spoken of, there are three dates—17th April, 18th April, and 22d April—and on the page immediately before these are three dates—28th, 30th, and 31st March. The entry under 17th April is—"Was at Mr Hart's, and gave a second evidence." I am not aware of the date of the last time I was precognosced. The entry before the 17th April is—"Signed precognition;" there is no date to that. I I was precognosced several times; I have not been precognosced since I came to Edinburgh. I have seen parties connected with the Crown yesterday, the day before, and this morning. This morning I saw Mr Wilson and Mr Gray, of the Fiscal's office in Glasgow. They did not ask me about the letters. I told them I was in a most uncomfortable position about this matter; that I had got quite a sufficiency in the Court; and that I wanted to be done with it. Was that in consequence of anything said by those gentlemen? No. It was because I felt exceedingly uncomfortable and very unwell. I saw them this morning. I don't know whether it was this morning or yesterday afternoon that I said so, but I said so repeatedly. As to the entry about the six letters, I cannot say when it was made. The entry is, "letters 3, 31, 45, 53, 54, and 56" in desk, 25th March, and can swear to them.

By the COURT—The entry was not made on the 25th March. I can't say when it was made. That was the day on which I got the letters.

By the DEAN—It appears in the book after an entry on the 24th April. I found letters belonging to L'Angelier in the tourist's bag in the desk in the warehouse, in a leather portmanteau at his lodgings, and also in the desk in his lodgings, and one in his vest pocket. I can't say how many letters there were in the desk at the warehouse. They were numerous. Part of them were wrapt in two brown paper parcels, and part were lying loose. The two parcels were sealed with the Company's stamp. They had been sealed by L'Angelier himself apparently. As to

the seven letters I gave to the Fiscal, I don't know whether they were in a sealed packet or lying loose. I could not identify any of the letters found in the desk, except the six in the desk which I have spoken to, and the one found in the vest-pocket. I don't know how many letters I found in the travelling-bag. They were not very numerous—I should say under a dozen. I did not count them. I read a portion of them. In the portmanteau, I have no idea how many I found. They were numerous. I think they were partly loose and partly tied with twine or tape. I saw them in the Fiscal's office. I presumed them to be the same, but I could not distinguish those found in the portmanteau, nor those found in the desk at the lodgings. I can't tell how many of them there were. Shown No. 137, and, after looking at memorandum-book—this is marked as found in the bag. Tell me what you referred to your memorandum-book for just now? Is it by reference to this entry that you are enabled to say now that this was one of the letters found in the bag? Yes; and also marked it "bag." Why did you refer to this? I was requested to take a note of them at the time. This entry immediately follows the other entry before spoken of. I don't know when I wrote the word "bag" on the letter. I have not the slightest idea of what has become of the letter attached to the envelope. I can't say if it contained a letter. I made no inventory of the letters found in the bag, and I saw none made. I saw a note of letters in the Fiscal's office. I am not aware of seeing an inventory of the letters found in the bag. I made a list of the six or seven which I have before referred to. I made no other list. I think I saw only one desk at L'Angelier's lodgings. I recollect L'Angelier going to Edinburgh. I never saw him after he went there. He was not back to the warehouse, to my knowledge. Shown twenty-four letters in the third inventory for the prisoner, and asked if he ever saw them before. Deponed—I have seen a number of letters in that handwriting from this individual among the letters given up, but I can't say I saw any one of them. The signature is "M. A. P.;" it is Miss Perry's signature. I found portions of this handwriting in all his repositories. I can't say as to the small bag. I can't say how many in this handwriting I may have seen. There were a good many: I think not so many as in the other handwriting—not nearly so many. I can't give you any notion how many there were in the other handwriting. My impression is that there would not be one-half of them in this handwriting. I could not say if they would be a third, but there were a good many of them. I could not say if there were 100 in the first handwriting I have spoken to. There were 199 letters in the prisoner's second inventory. I should be inclined to say, speaking roughly, that there were 250 to 300 of all the letters found in all handwritings. I understood that L'Angelier corresponded with a number of parties in the south and in France. I have seen letters addressed to ladies in France and in England. I have heard him speak about parties in England. He was a vain person—vain of his personal appearance—very much so. He never spoke of himself to me as very successful among ladies. He was of a [illegible]ther mercurial disposition—changeable. His sit[illegible]n in Huggins' warehouse was packing clerk. I am not aware what money he had when he went to Bridge of Allan or to Edinburgh. I saw the first medical report made by Dr Thomson. It was made upon Tuesday the 24th. Shown seven medical reports, and asked to find it.

The JUDGE—You had better shew it to him.

The DEAN—It is not there—that is the point.

Witness—Need I look for it then?

The DEAN—No; but you saw a report.

Witness—Yes; it was on a small slip of paper. There is a report here by Dr Stevenson and Dr Thomson dated "23th March." The report I speak of was made on the 24th March. It was given to me; and I gave it to Mr Young, the Fiscal. I don't think I have seen it since. Shown No. 1 of second inventory for prisoner—a portmonaie—this was got I think in the vest he wore when he came from the Bridge of Allan. There were three rings in it, which I have already spoken to as having been found on him. I did not give this up to the Fiscal with the other things. It was found on the Monday that he died; it was locked up in one of his drawers; it was not taken out till all the articles of dress were packed up a considerable time afterwards; it was then packed up in one of the portmanteaus; I have no note of when it was given up, but I recollect giving some articles out of the portmanteau of Mr Millar and Mr Forbes, agents for the prisoner. I am not sure whether this was one of them. I don't know whether it was got out of his lodgings or out of the trunk it was sent in here. Shown two letters, 1 and 2 of the first inventory for the prisoner. These are in the handwriting of L'Angelier.

By the LORD JUSTICE-CLERK—I was several times precognosced; at the time of the first precognition I understood there was a criminal charge against some one on account of the death of L'Angelier; and it was known I was the first person who had seen any of the articles in his repositories. I have not the date of the first precognition. I think it was after giving up the articles to Murray on the 30th. On none of these occasions am I aware that the Sheriff was present during my precognition. I understood at the time that it was known and understood who the letters in the first handwriting were from, and I knew that the charge was murder. The party was in custody at that time. Murray is an officer belonging to the Fiscal. I did not see the Sheriff or the Fiscal at the desk or repositories while I was there. The letters were put into a bag by me, and no inventory made. Everything was given up. The box containing the letters found in Huggins' office was sealed up. I am not aware whether the bag was sealed up. The letters found in the lodgings were put into a brown paper parcel. I am not aware whether it was sealed. There was another officer with Murray.

The LORD JUSTICE-CLERK—You seem to have done all that you thought necessary, and with much propriety, in the way of making memoranda, though not in the way that the Fiscal would have done it. But during any of your precognitions, were you asked to go over the letters and put any marks on them to enable you to say where they were found?

Witness—Not when they were delivered up. Afterwards I was requested to put my initials on some of them.

The LORD JUSTICE-CLERK—I think it right to say that I know of no duty so urgent, so impressive, and so imperative as that of the sheriff superintending and directing every step in a precognition for murder, and that, in the experience of myself as an old Crown officer, and of my two brethren as sheriffs, the course which this case seems to have taken is unprecedented. I must say that your memoranda (addressing witness) were not made artistically or scientifically: but I think you have done the best, according to your judgment and experience, nor do I suppose that there is any imputation against you.

The DEAN of FACULTY—Oh, dear no, on the contrary.

The LORD ADVOCATE—I think it right to say that, perhaps before the end of the case, in some respects the observation of your Lordship will be modified.

The LORD JUSTICE-CLERK—I only speak to what occurred in reference to the examination of one witness who apparently received all the letters founded on to support a charge of murder, I presume.

The LORD ADVOCATE—With regard to the first stage, unquestionably there was a very great looseness.

The witness then left the Court on the understanding that he was to hold himself in readiness for being recalled.

Dr Thomson, examined by the LORD ADVOCATE—I am a physician in Glasgow. I knew the late Mr Angelier for fully two years. He consulted me professionally; the first time fully a year ago. He had a bowel complaint. He got the better of that. Next time he consulted me on 3d February of this year. He had a cold and cough, and a boil at the back of his neck. He was very feverish, and the cough was rather a dry cough. These are all the particulars I have. I prescribed for him. I saw him next about a week after the 3d February. He was better of his cold, but I think another boil had made its appearance on his neck. I saw him again on the 23d February. He came to me. He was very feverish, and his tongue was furred and had a patchy appearance, from the fur being off in various places; he complained of nausea, and said he had been vomiting; he was prostrate, his pulse was quick, and had the general symptoms of fever. I prescribed for him. I took his complaint to be a bilious derangement, and I prescribed an aperient draught; he had been unwell I think for a day or two, but he had been taken worse the night before he called on me; it was during the night of the 22d and morning of the 23d that he was taken worse. He was confined to the house for two or three days afterwards. I am reading from notes I made on the 6th April. I made them from recollection, but the dates of my visits and the medicines were entered in my books. I visited him on the 24th February, and on the 25th, and on the 26th, and on the 1st of March I intended to visit him, but I met him on the Great Western Road. The aperient draught I prescribed for him on the 23d contained magnesia and soda; on the 24th I prescribed some powders containing rhubarb, soda, chalk of calo, mile, and ipecacuanha. These were the medicines I prescribed on the 23d Feb. I have described his state. On the 24th he was much in the same state. He had vomited the draught that I had given him on the 23d, and I observed that his skin was considerably jaundiced on the 24th, and from the whole symptoms I called the disease a bilious fever. On the 25th he was rather better, and had risen from his bed to the sofa, but he was not dressed. On the 26th he felt considerably better and cooler, and I did not think it necessary to repeat my visits till I happened to be in the neighbourhood. It did not occur to me at the time that these symptoms arose from the action of any irritant poison. If I had known he had taken an irritant poison, these were the symptoms which I should have expected to follow. I don't think I asked him when he was first taken ill. I had not seen him for some little time before, and certainly he looked very dejected and ill; his colour was rather darker and jaundiced, and round the eye the colour was rather darker than usual. I saw him again eight or ten days after the 1st March. He called on me, and I have no note of the day. He was then much the same as on the 1st March. He said that he was thinking of going to the country, but he did not say where. I did not prescribe medicines for him then. About the 26th February, I think, I told him to give up smoking; I thought that was injurious to his stomach. I never saw him again in life. On the morning of the 23d March, Mr Stevenson and Mr Thuau called on me. I mentioned that M. L'Angelier was dead, and they wished me to go and see the body, and see if I could give any opinion as to the cause of death. They did not know that I had seen him alive during his last illness. I went to the house. The body was laid out on a stretcher lying on the table. The skin had a slightly jaundiced hue. (I made the notes from which I read on the same day.) I said it was impossible to give any decided opinion as to the cause of death, and I requested Dr. Steven to be called, who had been in attendance. I examined the body with my hands externally, and over the region of the liver the sound was dull—the region seemed full; and over the region of the heart the sound was natural. I saw what he had vomited, and I made inquiry as to the symptoms before death. When Dr. Steven arrived he corroborated the landlady's statements as far as he was concerned. There was no resolution come to on the Monday as to a *post mortem* examination. On the afternoon of that day I was called on by Mr. Huggins and another gentleman, and I said the symptoms were such as might have been produced by an irritant poison. I said it was such a case as if it had occurred in England, a coroner's inquest would be held. Next morning Mr Stevenson called again and said that Mr. Huggins requested me to make an inspection. In consequence of that I said I would require a colleague, and Dr. Steven was agreed on. I called on him, and he went with me to the house, and we made the inspection on Tuesday forenoon about twelve o'clock. We wrote a short report of that examination to Mr Huggins immediately. We afterwards made an enlarged report. Witness was then shown this report, and read it as follows:—

At the request of Messrs W. B. Huggins & Co., of this city, we, the undersigned, made a *post mortem* examination of the body of the late M. L'Angelier, at the house of Mrs Jenkins, 11 Great Western Road, on the 24th March current, at noon, when the appearances were as follow:—The body, dressed in grave clothes and coffined, viewed externally, presented nothing remarkable, except a tawny hue of the surface. The incision made on opening the belly and chest revealed a considerable deposit of sub-cutaneous fat. The heart appeared large for the individual, but not so large as, in our opinion, to amount to disease. Its surface presented, externally, some opaque patches, such as are frequently seen on this organ without giving rise to any symptoms. Its right cavities were filled with dark fluid blood. The lungs, the liver, and the spleen, appeared quite healthy. The gall bladder was moderately full of bile, and contained no calculi. The stomach and intestines, externally, presented nothing abnormal. The stomach, being tied at both extremities, was removed from the body. Its contents, consisting of about half-a-pint of dark fluid resembling coffee, were poured into a clean bottle, and the organ itself was laid open along its great curvature. The mucous membrane, except for a slight extent at the lesser curvature, was then seen to be deeply injected with blood, presenting an appearance of dark red mottling, and its substance was remarked to be salt, being easily torn by scratching with the finger nail. The other

organs of the abdomen were not examined. The appearance of the mucous membrane, taken in connection with the history as related to us by witnesses, being such as, in our opinion, justified a suspicion of death having resulted from poison, we considered it proper to preserve the stomach and its contents in a sealed bottle for further investigation by chemical analysis, should such be determined on. We, however, do not imply that, in our opinion, death may not have resulted from natural causes; as, for example, severe internal congestion, the effect of exposure to cold after much bodily fatigue, which we understand the deceased to have undergone. Before closing this report, which we make at the request of the Procurator-Fiscal for the county of Lanark, we beg to state that, having had no legal authority for making the *post mortem* examination above detailed, we restrict our examination to the organs in which we thought we were likely to find something to account for the death. Given under our hands at Glasgow, the 28th day of March 1857, on soul and conscience.

(Signed) HUGH THOMSON, M.D.
JAMES STEVEN, M.D.

I afterwards received instruction from the Procurator-Fiscal in regard to the stomach; I was summoned to attend at his office before I wrote that report; that was on the 27th March. The contents of the stomach, and the stomach itself, sealed up in a bottle, were handed to Dr Penny on the 27th; they were in my custody till then. On the 31st I received instructions from the Procurator-Fiscal to attend at the Ramshorn Church, by order of the Sheriff, to make an inspection of L'Angelier's body. Dr Steven, Dr Corbet, and Dr Penny were there. The coffin was in a vault, and was opened in our presence, and the body taken out. I recognised it as L'Angelier's body. It presented much the same appearance generally as when we left it; it was particularly well preserved, considering the time that had elapsed. On that occasion we removed other parts of the body for analysis. Shown report of that examination, and read it as follows:—

Glasgow, 3d April, 1857.—By virtue of a warrant from the Sheriff of Lanarkshire, we, the undersigned, proceeded to the *post mortem* examination of the body of Pierre E. L'Angelier within the vault of the Ramshorn Church, on the 31st of March ult., in presence of two friends of the deceased. The body being removed from the coffin, two of our number, Drs Thomson and Steven, who examined the body on the 24th ult., remarked that the features had lost their former pinched appearance, and that the general surface of the skin, instead of the tawny or dingy hue observed by them on that occasion, had become rather florid. Drs Thomson and Steven likewise remarked that, with the exception of the upper surface of the liver, which had assumed a purplish colour, all the internal parts were little changed in appearance; and we all agreed that the evidences of putrefaction were much less marked than they usually are at such a date—the ninth day after death, and the fifth after burial. The duodenum, along with the upper part of the small intestine, after both ends of the gut had been secured by ligatures, was removed and placed in a clean jar. A portion of the large intestine, consisting of part of the descending colon and sydmoid flexture, along with a portion of the rectum, after using the like precaution of placing ligatures on both ends of the bowel, was removed, and placed in the same jar with the duodenum, and portion of small intestine. A portion of the liver, being about a sixth part of that organ, was cut off and placed in another clean jar. We then proceeded to open the head in the usual manner, and observed nothing calling for remark beyond a greater degree of vascularity of the membranes of the brain than ordinary. A portion of the brain was removed, and placed in a fourth clean vessel. We then adjourned to Dr Penny's rooms, in the Andersonian Institution, taking with us the vessels containing the parts of the viscera before-mentioned. The duodenum and portion of small intestine were found to measure, together, 36 inches in length. Their contents, poured into a clean glass measure, were found to amount to four fluid ounces, and consisted of a turbid, sanguinolant fluid, having suspended in it much floculent matter, which settled towards the bottom, whilst a few mucous-like masses floated on the surface. The mucous membrane of this part of the bowels was then examined. Its colour was decidedly redder than natural, and this redness was more marked over several patches, portions of which, when carefully examined, were found to be eroded. Several small whitish and somewhat gritty particles were removed from its surface, and, being placed in a clean piece of glass, were delivered to Dr Penny. A few small ulcers, about the sixteenth of an inch in diameter, and having elevated edges, were observed on it, at the upper part of the duodenum. On account of the failing light, it was determined to adjourn till a quarter past eleven o'clock forenoon of the following day—all the jars, with their contents, and the glass measure, with its contents, being left in the custody of Dr Penny. Having again met at the time appointed, and having received the various vessels, with their contents, at Dr Penny's hands, in the condition in which he had given them to him, we proceeded to complete our examination. The portion of the largest intestine, along with the portion of the rectum, measuring twenty-six inches in length, on being laid open, was found empty. Its mucous membrane, coated with an abundant, pale, slimy mucous, presented nothing abnormal, except in that part lining the rectum, on which were observed two vascular patches, about the size of a shilling. On decanting the contents of the glass measure, we observed a number of crystals adhering to its interior, and at the bottom

a notable quantity of whitish sedimentary matter. Having now completed our examination of the various parts, we finally handed them all over to Dr Penny. The above we attest on soul and conscience." Signed by Dr THOMSON and Dr STEVEN.

The appearance of the mucous membrane of the duodenum denoted the action of an irritant poison. The patches of vascularity in the rectum might be also considered the effects of an irritant poison. But they were not very characteristic of that. There were ulcers there. We could not form any opinion as to their duration. All these substances removed from the body were left in charge of Dr Penny. The ulcers might have resulted from an irritant poison, but I am not aware that they are characteristic of that. They might have been produced by any cause which would have produced inflammation.

By the DEAN—On 24th March the contents of the stomach were poured into a clean bottle. The meaning of the statement that the stomach was tied at both extremities is, that that was done before the contents were taken out. Am sure that the entire contents were poured into this bottle. The stomach itself was put into the same bottle. We took none of the intestines out of the body. When we put the stomach and contents into this bottle, we secured it well with oilskin and a cork. We did that in the lodgings. The oil-silk was put under the cork to make it fit the bottle, and partly to make it more secure, and over the whole a double piece of oil-silk. We went to Dr Steven's house, where Dr Steven affixed his seal, and I took it with me, and it remained in my possession, locked into my consulting table. On the Monday of the deceased's death I was shown by Mrs Jenkins the matter which had been vomited. It was not preserved, so far as I know. We made a short report on the 24th to Mr Huggins. It was delivered to him. At the time I attended M. L'Angelier in February there were no symptoms that I could definitely say which were not due to a bilious attack. They were all the symptoms of a bilious attack. There was an appearance of jaundice. I have heard of that as a symptom of irritant poison. It is in Dr Taylor's work on poisons.

By the LORD JUSTICE-CLERK—It was in the appearance of the skin.

The DEAN—Show me the passage in Dr Taylor's work (handing it to witness).

Witness—I can't find the particular passage. It is in the case of Marshall.

The DEAN—What was the poison in the case of Marshall

Witness—Arsenic.

The DEAN—Well, see if you can find it.

Lord HANDYSIDE—Perhaps he has made a mistake on the subject, and refers to Marshall as a writer on the subject. He is referred to in "Taylor's Medical Jurisprudence."

Witness—Yes (shown "Taylor's Medical Jurisprudence"); at page 62 Marshall is quoted—"Strangula and jaundice have been noticed among the secondary symptoms"—that is, under chronic poisoning.

The DEAN—Do you know any case in which jaundice has been observed as a symptom of arsenical poison?

Witness—That is the only case.

The DEAN—That is not a case. Are you acquainted with Marshall's work?

Witness—No.

The DEAN—You never saw it?

Witness—No. I never saw it.

The DEAN—You were under the impression that Marshall's was the name of a case?

Witness—Yes; from the manner in which I had noted it down I made that mistake.

By the DEAN—The jaundice I saw in L'Angelier's case was quite consistent with the idea that he was labouring under a bilious attack, and could easily be accounted for in that way.

By the LORD ADVOCATE—Identifies jar in which the stomach and its contents were placed.

Dr Steven, examined by the LORD ADVOCATE—I am a physician in Glasgow, and live in Stafford Place, near to Franklin Street. Was applied to by Mrs Jenkins early in the morning of the 23d March last. She asked me to go to a lodger of her's who was ill. I did not know her or her lodger. I was myself ill that morning, and was unwilling to go. It was named to me as a severe bilious attack. I advised Mrs Jenkins to give him hot water and drops of laudanum, and she came to me again that morning I think about seven. I went, thinking that as he was a Frenchman he might not be understood. I found him in bed. He was very much depressed. His features were pinched and his hands. He complained of coldness and pain over the region of the stomach. By pinched I mean shrunk and cold, or inclined to become cold. He complained of general chilliness, and his face and hands were cold to the touch. He was physically and mentally depressed. I spoke to him. I observed nothing very peculiar in his voice. I did not expect a strong voice, and it was not particularly weak. That was when I first entered the room. But his voice became weaker. He complained that his breathing was painful, but it did not seem hurried. I dissuaded him from speaking. I had extra clothes put on the bed. I gave him a little morphia to make him vomit, and he seemed to have vomited all he could. He had a weak pulse; I felt the action of the heart corresponding to it. That imported that the circulation was weaker at the extremities. The feet were not cold. Hot bottles were put to them, and also above his body for his hands. He was not urgently complaining of thirst. He seemed afraid to drink large quantities in case of making him vomit. He asked particularly for cold water, and was unwilling to take whisky which his landlady talked of giving him. He said he had been vomiting and purging. I saw a utensil filled with the matter vomited and purged; I ordered it to be removed, and a clean vessel put in its place that I might see what he had vomited. I did not afterwards see it; I believe it was kept for some time, but I said it might be thrown away; that was after his death. He said "this is the third attack I have had, the landlady says it is the bile, but I never was subject to bile." These were his words. He seemed to get worse while I was there. While I was sitting beside him he several times said, "My poor mother," and remarked how dull he felt at being so ill and away from friends. I ordered a mustard poultice to the stomach; I stayed I suppose about half an hour. It was about seven when I went there, and I got home at twenty minutes to eight. I applied the poultice myself. I called again at a quarter past eleven; his landlady met me in the lobby and told me he had been quite as bad as in the morning. I went into the bedroom and found him dead. He was lying on his right side, with his back towards the light, his knees a little drawn up, one arm outside the bedclothes and another in. They were not much drawn up—not unnaturally drawn up. He seemed in a comfortable position, as if he was sleeping. About mid-day I was sent for again; Dr. Thomson was there when I

went. I asked him if there was anything in his previous illness, with the symptoms I mentioned, which could account for the cause of death, but were entirely at a loss to account for it. I declined giving a certificate of death unless I made an examination; and Dr. Thomson and I made one next day. Identifies report of that examination; that is a true report. Subsequently we made a second *post mortem* examination, after the body was exhumed; identifies that report. The stomach and its contents were put into a pickle-bottle on the first examination. The bottle had been several times washed out by myself and others. It was sealed up. The portions of the body removed on the second examination were handed to an officer who went along with Dr. Penny and myself to Dr. Penny's laboratory. On the second *post mortem* examination, I noticed that the body was remarkably well preserved. I had never attended any case in which there had been poisoning by arsenic.

Dr Penny, examined by the LORD ADVOCATE—I am Professor of Chemistry in the Andersonian University, Glasgow. On 27th March last I was communicated with by Dr Thomson. He came to the University and delivered a bottle. It was securely closed and sealed. I broke the seal and made an examination of the contents. They were a stomach and a reddish coloured fluid. I was requested to make the examination for the purpose of ascertaining if those matters contained poison. I commenced the analysis on the following day, the 28th. One of the clerks of the Fiscal called with Dr Thomson, and it was done at his request. Till I made the analysis the jar and its contents remained in the state in which I received it. Shown a report of first analysis, and read it as follows:—

I hereby certify that on Friday the 27th of March last, Dr Hugh Thomson, of Glasgow, delivered to me, at the Andersonian Institution, a glass bottle containing a stomach and a reddish-coloured turbid liquid, said to be the contents of a stomach. The bottle was securely closed and duly sealed, and the seal was unbroken.

In compliance with the request of William Hart, Esq., one of the Procurators-Fiscal for the Lower Ward of Lanarkshire, I have carefully analysed and chemically examined the said stomach and its contents with a view to ascertain whether they contained any poisonous substance.

1. *Contents of the Stomach.*

This liquid measured eight and a-half ounces. On being allowed to repose it deposited a white powder, which was found on examination to possess the external characters and all the chemical properties peculiar to arsenious acid—that is, the common white arsenic of the shops. It consisted of hard, gritty, transparent, colourless, crystalline particles; it was soluble in boiling water, and readily dissolved in a solution of caustic potash; it was unchanged by sulphate of ammonium, and volatilised when heated on platina foil. Heated in a tube, it gave a sparkling white sublimate, which, under the microscope, was found to consist of octoedral crystals. Its aqueous solution afforded, with ammonio-nitrate of silver, ammonio-sulphate of copper, sulphuretted hydrogen, and bichromate of potash, the highly characteristic results that are produced by arsenious acid. On heating a portion of it in a small tube with black-flux, a brilliant ring of metallic arsenic was obtained with all its distinctive properties. Heated with dilute hydrochloric acid and a slip of copper foil, a steel-grey coating was deposited on the copper; and this coating, by further examination, was proved to be metallic arsenic.

Another portion of the powder, on being treated with nitric acid, yielded a substance having the peculiar characters of arsenic acid. A small portion of the powder was also subjected to what is commonly known as "Marsh's process," and metallic arsenic was thus obtained, with all its peculiar physical and chemical properties.

These results show, unequivocally, that the said white powder was arsenious acid; that is, the preparation of arsenic which is usually sold in commerce, and administered or taken as a poison, under the name of arsenic, or oxide of arsenic.

I then examined the fluid contents of the stomach. After the usual preparatory operations, the fluid was subjected to the following processes:—

First, To a portion of the fluid Reinsch's process was applied, and an abundant steel-like coating was obtained on copper foil. On heating the coated copper in a glass tube, the peculiar odour of arsenic was distinctly perceptible, and a white crystalline sublimate was produced, possessing the properties peculiar to arsenious acid.

Secondly, Another portion of the prepared fluid was distilled, and the distillate subjected to Marsh's process. The gas produced by this process had an arsenical odour, burned with a bluish-white flame, and gave with nitrate of silver the characteristic reaction of arseniuretted hydrogen. On holding above the flame a slip of bibulous paper moistened with a solution of ammonio-nitrate of silver, a yellow colour was communicated to the paper. A white porcelain capsule depressed upon the flame was quickly covered with brilliant stains, which, on being tested with the appropriate re-agents, were found to be metallic arsenic. By a modification of Marsh's apparatus, the gas was conducted through a heated tube, when a lustrous mirror-like deposit of arsenic in the metallic state was collected; and this deposit was afterwards converted into arsenious acid.

Thirdly, Through another portion of the fluid a stream of sulphuretted hydrogen gas was transmitted, when a bright yellow precipitate separated, having the chemical peculiarities of the tri-sulphide of arsenic. It dissolved readily in ammonia and in carbonate of ammonia; it remained unchanged in hydrochloric acid; and it gave, on being heated with black-flux, a brilliant ring of metallic arsenic.

Fourthly, a fourth portion of the prepared fluid, being properly acidified with hydro-

chloric acid, was distilled, and the distillate subjected to Fleitnann's process. For this purpose, it was boiled with zinc and a strong solution of caustic potash. Arseniuretted hydrogen was disengaged, and was recognised by its odour, and by its characteristic action upon nitrate of silver.

Stomach.

I examined in the next place the stomach itself. It was cut into small pieces, and boiled for some time in water containing hydrochloric acid; and the solution, after being filtered, was subjected to the same processes as those applied to the contents of the stomach. The results in every case were precisely similar, and the presence of a considerable quantity of arsenic was unequivocally detected.

Quantity of Arsenic.

I made, in the last place, a careful determination of the quantity of arsenic contained in the said stomach and its contents. A stream of sulphuretted hydrogen gas was transmitted through a known quantity of the prepared fluids from the said matters, until the whole of the arsenic was precipitated in the form of tri-sulphide of arsenic. This sulphide, after being carefully purified, was collected, dried, and weighed. Its weight corresponded to a quantity of arsenious acid (common white arsenic) in the entire stomach and its contents, equal to eighty-two grains and seven-tenths of a grain, or to very nearly one-fifth of an ounce. The accuracy of this result was confirmed by converting the sulphide of arsenic into arseniate of ammonia and magnesia, and weighing the product. The quantity here stated is exclusive of the white powder first examined.

The purity of the various materials and reagents employed in this investigation was most scrupulously ascertained.

Conclusions.

Having carefully considered the results of this investigation, I am clearly of opinion that they are conclusive in showing,

First, That the matters subjected to examination and analysis contained arsenic; and,

Secondly, That the quantity of arsenic found was considerably more than sufficient to destroy life.

All this is true on soul and conscience.

(Signed) FREDERICK PENNY,
Professor of Chemistry.

Glasgow, April 6, 1857.

How much arsenic would destroy life? It is not easy to give a precise answer to that question; cases are on record in which life was destroyed by two and four grains; four or six grains are generally regarded as sufficient to destroy life, and the amount I determined as existing in the stomach was eighty-two grains. On the 31st March I attended at the exhumation of M. L'Angelier's body. I saw the coffin opened, and the portions of the body removed. These portions were carefully preserved and submitted to a chemical analysis by myself. They were placed in jars which I never lost sight of. I made an analysis of the contents, and prepared the following report:—

On Tuesday the 31st March last, I was present at a *post mortem* examination of the body of Pierre Emile L'Angelier, made by Drs Corbet, Thomson, and Steven, in a vault of the Ramshorn Church, Glasgow.

At my request, portions of the following organs were removed from the body and properly preserved for chemical analysis and examination:—

1. Small intestine and contents.
2. Large intestine.
3. Liver.
4. Heart.
5. Lung.
6. Brain.

These articles were taken direct to the laboratory in the Andersonian Institution, and were there delivered to me by the parties before named. I have since made a careful analysis and chemical examination of all the said matters, with the following results:—

1. *Small intestine and its contents.*

The portion of small intestine contained a turbid and reddish-coloured liquid, which measured four ounces. On standing for several hours in a glass vessel, this liquid deposited numerous and well-defined octoedral crystals, which, on being subjected to the usual chemical processes for the detection of arsenic, were found to be arsenious acid.

Arsenic was also detected in the small intestine.

2. *Large intestine.*

This organ yielded arsenic, but in less proportion than in the small intestine.

3. *Liver, Brain, and Heart.*

Arsenic was separated from the liver, heart, and brain, but in much less proportion than from the small and large intestine.

4. *Lung.*

The lung gave only a slight indication of the presence of arsenic.

Conclusions.

1. That the body of the deceased Pierre Emile L'Angelier contained arsenic.

2. That the arsenic must have been taken by or administered to him while living.

All this is true on soul and conscience.

(Signed) FREDERICK PENNY.
Professor of Chemistry.

The actual quantity was not ascertained. The presence of arsenic in the brain does not enable me to say when the arsenic was taken. I can see no physiological reason why the arsenic should not make its appearance at the same time in the other textures of the body.

By the LORD JUSTICE-CLERK—Purging would account for a smaller portion of arsenic being found in the large intestine.

By the LORD ADVOCATE—When my analysis was completed on the 11th April, I returned the portions of the body to Edinburgh. They were delivered to Dr Christison. These were powder from contents of stomach, fluid from contents of stomach, portions of small and large intestines, liver, heart, lung, &c. They were in my custody till delivered to Dr Christison. They were portions of L'Angelier's body. I was asked

to make investigation as to arsenic at the shops of Mr Currie and Mr Murdoch, to ascertain if the substance sold by them as arsenic really contained that proportion.

Dr Penny read the following chemical report:—

On the 18th inst., I purchased from James Dickie, at Mr Murdoch's drug-shop, in Sauchiehall Street, Glasgow, one ounce and a-half of arsenic, said to be mixed with soot, and in the state in which it is usually sold retail at that establishment.

On the same day, I purchased also from George Carruthers Halliburton, at Mr Currie's drug-shop, Sauchiehall Street, Glasgow, one ounce of arsenic, said to be mixed with indigo.

I have since made a careful analysis and chemical examination of each of these quantities of arsenic, and I find that they contain respectively the following proportions per cent. of arsenious acid—that is, of pure whit arsenic:—

	Arsenious Acid.
Mr Murdoch's arsenic,	95·1 per cent.
Mr Currie's arsenic,	94·4 per cent.

(Signed) FREDERICK PENNY,
Professor of Chemistry.

The other substances were inorganic matter, and in Mr Murdoch's carbonaceous matter, and in Currie's particles of indigo and carbonaceous matter, with ash or inorganic matter. The arsenic bought at Mr Currie's contained an extremely small portion of colouring matter of indigo. The greater part of that colouring matter, by peculiar and dexterous manipulation, could be removed, and the arsenic would afterwards appear white to the unassisted eye. If a sufficient portion of that arsenic was administered to cause death, and prior to death great vomiting had taken place, I would not have expected to find any portion of the indigo. The indigo would show a blue colour in solution.

By the LORD JUSTICE-CLERK—The quantity of indigo was so small that it would not colour wine of any sort.

By the LORD ADVOCATE—In regard to the arsenic purchased from Mr Murdoch, that was mixed with carbonaceous particles. If that had been administered, and if the arsenic had settled down from the contents of the stomach, as in this case, I should have expected to find carbonaceous particles. Suppose there had been prior administration of arsenic a month before, similar to what was purchased from Murdoch's, I would not have expected to have found traces of that carbonaceous matter. Various articles were delivered to me by Mr Wilson, said to have been found in Mr L'Angelier's lodgings; they were fifteen articles—viz., twelve bottles, two paper packages, and a cake of chocolate. I examined them, specially for arsenic, and to ascertain their general nature. No. 1 (a bottle) contained a brown liquid, containing magnesia, epsom salts, soda, and rhubarb; No. 2, sugar and ammonia; No. 3, camphorated oil; No. 4, laudanum; No. 5, bottle containing colourless liquid, a very weak solution of aconite; No. 6, bottle containing whitish powder, chalk, sugar, and cinnamon chiefly; No. 7, olive oil; No. 8, a brown liquid and brown sediment containing chalk, cinnamon, and an astringent matter; No. 9, four packages of powders, consisting exclusively of sulphate of quinine; No. 10, Eau de Cologne; No. 10, camphorated chalk; No. 12, cake of chocolate; No. 13, paper package—a dried plant; No. 22, empty phial, labelled glycerine; No. 23, small bottle containing a resinous cement. Witness then identified the various bottles which contained the stomach. None of these substances, excepting that containing solution of aconite, are poisonous. It was extremely weak, and the quantity I found was not sufficient to destroy life. There were nearly 2 ounces in the phial, and it was more than half full; if the whole quantity taken out had been swallowed, it would not have been sufficient to destroy life, I cannot speak to the effects of aconite. I never heard of prussic acid being used externally as a cosmetic; I should think it highly dangerous to use it in that way. I am not aware of any beneficial action that it exerts. I should say it would be very dangerous to use arsenic for a similar purpose. If rubbed on the skin it might produce constitutional symptoms of poisoning by arsenic; it would produce an eruption on the skin. I have heard of its being used as a depilatory, to remove hairs from the skin, mixed, however, with other matters, lime generally, solid. It is not arsenious acid that is so used; it is usually the yellow sulphite.

Cross examined by the DEAN of FACULTY—In the entire stomach and its contents there was arsenic equal to 82 7-10th grains. That was exclusive of the white powder which I first examined. The white powder that I attested after being dried weighed 5 2-10th grains, and that was arsenious acid. I did not determine the quantity of arsenic in the lungs, liver, brain, or heart; I can give no notion of the quantity that might be in these organs; in the small intestine it must have been considerable, because when its contents were allowed to repose, arsenious acid crystallised out of that liquid and deposited abundantly on the sides of the vessel. That indicated the liquid had as much arsenic as it could hold in solution at the temperature. I can't give any idea of the quantity in the small intestine. It was decidedly appreciable. Might it be several grains? It would be a mere matter of guess, and I should not like to guess in so serious a matter. If the deceased, when attacked by symptoms of arsenical poisoning, vomited a great deal, and in large quantities, it would depend upon the mode of administration whether a quantity would be carried off. If given with solid food, and in a solid state, a large portion of the arsenic would be ejected from the stomach if all that food were vomited; but if the arsenic were stirred up with a liquid, and thereby thrown into a state of mechanical suspension, I would not expect that so considerable a portion would be ejected by vomiting. By solid food I mean bread and the like. In the case of the arsenic being taken in a fluid, I could not say what proportion might be ejected. I should not be surprised to find that as much had been ejected as remained. Judging from what I found on the examination of the body, the dose of arsenic must have been of very unusual size. There are cases on record in which very large quantities of arsenic have been found in the stomach and intestines. I know them as a matter of reading. There are examples of larger quantities being found than in the present. I think there is a case in which two drachms were found—that is, 120 grains. That is the largest quantity which occurs to my mind at this moment as having been found. The cases in which a very large quantity of arsenic was found did not turn out to be cases of intentional murder by a third party. In the cases to which I refer the arsenic was taken by the party voluntarily, with the intention to commit suicide. It would be very difficult to give a large dose of arsenic in a liquid; by a large dose of arsenic you exclude many vehicles in which arsenic might be administered. Nothing which I

found in my investigation indicated the time when the arsenic must have been taken. The ordinary period that elapses between the administration of this poison and the symptoms being manifested is eight or ten hours in the cases on record; that is the extreme time; there are some cases which show themselves in less than half an hour; we have cases in which death has resulted in a few hours, and cases in which death has been delayed for two or three days. As to the arsenic obtained from Currie's shop, the greater part of the colouring matter might be removed by dexterous manipulation; if you were to throw water in the arsenic and agitate the two by this, and after the arsenic has subsided, you throw off the liquor, a portion of colouring matter is thrown off; but if you keep the vessel shaking in a particular way you may coax the greater part of the colouring matter away. Murdoch's arsenic was coloured by carbonaceous matter; it had the odour of coal soot. I cannot tell from examination whether the arsenic found is administered in one dose or in several. It would be very dangerous to use arsenic externally in any way. There are cases in which it has been applied to the entire or whole skin, and in which the symptoms of poisoning have been produced, vomiting, pain, but not death. In one case it was rubbed on the head, I think; but I don't remember the details of the case. From the remembrance of general reading, my impression is that it produces eruption of the sound skin. If cold water were used. I should not like to wash in such water myself. You cannot give me any other answer? No, I cannot.

By the Lord Justice-Clerk—There are cases in which inflammation of the intestines has been produced by external application of arsenic.

By the Dean—Arsenic is an irritant poison; it is absorbed into the blood, I presume with great rapidity, and through the blood it reaches all the organs in which we find it.

By the Lord Advocate—In administering large doses of arsenic many vehicles are secluded; cocoa or coffee is a vehicle in which a large dose might be given; there is a great difference between giving rise to suspicion and actual detection; I have found, by actual experiment, that when thirty or forty grains of arsenic are put into a cup of warm chocolate, a large portion of the arsenic settles down in the bottom of the cup, and I think a person drinking such poisonous chocolate would suspect something when the gritty particles came into his mouth; but if the same quantity, and even a larger quantity was boiled with the chocolate, instead of merely being stirred or mixed, none of it settles down. I could not separate the soot by washing from Murdoch's arsenic; but a very large quantity of it might be separated. Suppose a person the subject of repeated doses of arsenic, I have no evidence on which to form an opinion whether the last dose would be fatal more rapidly. I delivered to Dr Christison some of the arsenic I got at Currie's and Murdoch's.

By the Dean—In case of chocolate being boiled with arsenic in it, a larger proportion dissolves and does not subside. That is what I find to be the case from actual experiment. Coffee or tea could not be made the vehicle of a large dose of arsenic.

By the Lord Justice-Clerk—The period in which the arsenic produces its effect varies in different individuals, and according to the mode of administration. Pain in the stomach is one of the first symptoms, and vomiting usually accompanies the pain, but it may be very severe before vomiting actually begins. Ten, fifteen, or twenty grains might be given in coffee.

The Lord Justice-Clerk—Certainly, Dr Penny, more satisfactory, lucid, or distinct evidence I never heard.

Dr Christison, examined by the Lord Advocate—Dr Penny of Glasgow delivered to me portions of the body of L'Angelier on 10th April. I made a chemical analysis of the subjects so delivered with the view of ascertaining if they contained poison. I drew up the following report:—

I certify on soul and conscience that I received on the 11th ultimo, for chemical examination, from the hands of Dr Frederick Penny, of Glasgow, a box containing various articles connected with the case of Pierre Emile L'Angelier, who is supposed to have died of poison. The articles, nine in number, were all duly sealed and labelled.

No. 1 was a "small tube containing powder from the contents of the stomach."

This powder was a coarse, gritty, white, shining, crystaliform powder, which (1), sublimed at a gentle heat; (2), condensed in sparkling octoedral crystals; (3), was slowly soluble in boiling distilled water; and when so dissolved gave (4) a sulphur-yellow precipitate with sulphuretted hydrogen water; (5), a lemon-yellow precipitate with solution of ammoniacal nitrate of silver; (6), an apple-green precipitate with ammoniacal sulphate of copper; and on being mixed with hydrocholic acid, and then boiled on copper-gauze, yielded (7) a dark greyish-black encrustation on the guaze, which, on being heated in a small glass tube (8), became again a bright copper-red; and at the same time yielded a ring of white sparkling sublimate in octoedral crystals, or forms derived from the octoedre.

The powder was therefore oxide of arsenic.

No. 2 was a "bottle containing prepared fluid from contents of stomach."

This fluid was colourless and nearly transparent. (1.) A stream of sulphuretted hydrogen threw down from it an abundant sulphur-yellow precipitate. (2,) Hydrochloric acid being added to a portion of it, copper-gauze was subjected to a boiling heat in the mixture; upon which, in a few seconds, the gauze became encrusted with a greyish-black coat. (3.) This gauze, when washed, dried, and heated in a glass tube, was restored to its original bright, copper-red appearance; and at the same time a ring of sparkling crystals was obtained, the form of which was the regular octoedre, or some form derived from it.

The fluid prepared from the contents of the stomach therefore contained oxide of arsenic, and in considerable quantity.

No. 4 was a "Bottle containing portion of contents of small intestine."

This was a turbid, opaque, dirty-grey liquid, holding much insoluble matter in suspension; and white, glittering particles were seen on the bottom of the bottle.

The contents were poured out, so as to leave the powder behind. Hydrochloric acid being added to the portion poured off, the mixture was boiled for a little, and copper-gauze was subjected to its action, at a boiling temperature. In a few seconds the gauze was encrusted with a greyish-black film,

which was proved to be arsenic in the same way as in the experiments previously described.

The powder was cleaned by washing it with cold distilled water, and was found to be oxide of arsenic by the tests to which the powder from the contents of the stomach was subjected.

The contents of the small intestine therefore contained oxide of arsenic.

No. 7 was a common gallipot "Jar containing portion of liver."

The contents, being about four ounces of a liver, were subjected to a modification proposed in 1852 by Dr Penny, of the process of Reinsch for detecting arsenic in such matters. The liver having been cut into small pieces, and boiled in hydrochloric acid and distilled water in a glass flask, to which a distilling apparatus of glass was connected, the whole texture was gradually reduced to a fine pulp, and a distilled liquor was obtained which was collected in divided portions. These liquors were colourless and nearly clear. The two first portions obtained did not contain any arsenic, the third gave faint traces of it, the fifth and sixth portions, when separately subjected to the action of copper gauze, gave characteristically the usual dark grey encrustation; and this again was driven off as usual by heat and a small glass tube, and yielded in each case a white, sparkling ring of crystals which were regular octoedres or forms derived from the octoedre.

The liver therefore contained oxide of arsenic.

Having obtained unequivocal proof of the presence of arsenic in the contents of the stomach, in the contents of the small intestine, and in the liver, it does not appear to be necessary to examine the other articles delivered to me by Dr Penny. These are—3. Prepared fluid from the textures of stomach; 5. Portions of the small intestine; 6. Portion of the large intestine; 8. Portions of the heart and lungs; 9. Portion of the brain.

(Signed) R. CHRISTISON, M.D. &c.

The fluid from the stomach appeared to indicate a considerable quantity in the system—more than sufficient to destroy life. I have had great experience in regard to poisons, and published a work on the subject. At pages 301 and 303 I state the usual effects of poisoning by arsenic, and I found all these effects in a case, it would lead me to suspect the presence of arsenic or some other active poison. I have not seen Dr Thomson and Dr Steven's reports on the *post mortem* examination of the body. Supposing, from between the 19th and 22d February to 22d March, the symptoms I would expect to find would be variable. Sometimes they pass off quickly, and sometimes continue for weeks or months. When they continue, they are indigestion, loss of strength, emaciation, sometimes diarrhœa, lassitude of the limbs. If there appeared erosions with elevated edges in the intestines, I should have been led to suspect the existence of some affection of the intestines previous to the final attack.

The LORD ADVOCATE read the description of the *post mortem* examination of the body, and asked—Was this what witness would have expected to find after the administration of the arsenic? Witness deponed that it would be very natural to expect such appearances from arsenic. I would have thought them the natural result of arsenic if I had known it had been administered.

The LORD ADVOCATE—If you had been consulted in a case of this kind, that on the 18th or 19th of February a person, having gone out in good health returns, is attacked during the night with great pain in the bowels, severe vomiting of a green viscous fluid, accompanied by intense thirst and purging, and after the lapse of two or three days and partial recovery the patient is again seized with the same symptoms, though in a somewhat modified form, if after the second attack he had continued affected with great lassitude, change of colour, low pulse, and after going from home for ten days or a fortnight, had again returned and been attacked the same night with these symptoms in an aggravated form, that he died within eight or ten hours of his return to his house, and that on a *post mortem* examination the results were found of which you are aware in this case, I wish you to give me your opinion as a man of science and skill what conclusion you would draw as to the cause of the previous illnesses and death?—I could have no doubt that the cause of his death was poisoning with arsenic, and such being the case, I should have entertained a strong suspicion in regard to his previous illnesses, because his death would have prevented me from taking the means of satisfying my mind on the subject by a careful examination of all the circumstances. The symptoms are consistent with what you would expect if continuous poisoning were taking place? They are those which have occurred in parallel cases of the administration of doses singly insufficient to cause death. Shown reports of examination of the portions of the body, arsenic, &c., and read them as follows:—

Edinburgh, May 26, 1857.

I certify that since the delivery of my first report on the case of Pierre Emile L'Angelier, I have examined

No. 6, being a portion of the great intestine, by the same process employed in the instance of the liver, and that I obtained from it unequivocal evidence of the existence of arsenic, and

No. 8 also, being a portion of the brain. This was dried up, and amounted to about a quarter of an ounce only. I obtained from it, by the same process, traces of arsenic, but not satisfactory evidence. That result might have been owing to the small quantity of material I had to analyse.

I farther certify that on 6th May Dr Penny put into my hands two small paper packets, duly sealed, one supposed to be arsenic mixed with soot, the other arsenic mixed with indigo, according to the directions of the Act for the sale of arsenic.

The one marked "Murdoch's arsenic" I found to contain soot. Judging from the depth of colour I infer that it contains the due proportion of soot.

The other, marked "Currie's arsenic" and supposed to contain indigo, does not contain the indigo directed to be used in the Act for the sale of arsenic. It may contain a little of the colouring matter of indigo. But when the

whole colouring matter is detached it does not give the peculiar reactions of indigo, neither does it impart a blue colour to the arsenic as good indigo does characteristically; for the colour is a pale greyish black. The colouring matter in this article is also imperfectly mixed. It may be easily removed, in a great measure, by washing the powder with cold water; which is not to be accomplished easily, or so perfectly, when good indigo is used. The proportion of the admixture amounts to a 36th part. This is a little less than the proportion which the Act directs—viz., a 32d when indigo is used.

All this I certify on soul and conscience.

(Signed) R. CHRISTISON.

By the DEAN—My attention was not directed to colouring matter in the arsenic. I got only one article in which it might have been found, if my attention had been directed to it—viz., the small intestine; the others had been subjected to previous analysis. I was not asked to attend to colouring matter. I did not see it, and I did not search for it. Supposing soot or indigo to have been administered with the arsenic, I think it might have been found in the intestines by casual examination. I can't say it would have been found; many circumstances go to the possibility of its being found. Many of the component parts of soot are insoluble; and it might have been partially removed by frequent vomiting. It is very difficult to remove soot from arsenic entirely. Indigo would have been found more easily from the peculiarity of the colour, and the chemical ingredients being so precise. Currie's arsenic is not coloured with true indigo; it is waste indigo, or what has been used for the purposes of the dyer. I don't know how it is prepared. I did not analyse the colouring matter of Currie's arsenic. I ascertained that it was not the indigo directed by the Act to be used, and I ascertained the quantity. I separated the colouring matter from the indigo, and subjected it to the action of sulphuric acid. Charcoal is one of the chief constituents of good indigo, and necessarily of waste indigo. The chief constituent of soot is charcoal also. I was informed by Dr Penny of the quantity he found in the stomach—more than eighty grains. There was also a white powder found in addition. If there was great vomiting and purging, the quantity of arsenic administered must have been much greater than was found in his stomach and intestines. Much would depend on whether means were taken to facilitate vomiting. If hot and cold water were freely given, that would facilitate the discharge of the poison. It is impossible to say the proportion ejected; I think it would be reasonable to suppose that as much would be vomited as remained; it might, without any extravagant supposition, be taken at four or five times as much. There was nothing in the symptoms mentioned in the last illness in this case inconsistent with death being produced by a single dose of arsenic. The ordinary symptoms in a case of this kind are not unlike the symptoms of malignant cholera. I think all the symptoms in this case might have occurred from malignant cholera. If there were a sense of choking and soreness of the throat, I think these are more symptoms of arsenic; I don't think they have occurred in cholera. I think the ulcers in the duodenum might indicate the previous existence of the inflammation of the duodenum, called duodemtis. It might be a disease which would present the outward symptoms of a bowel complaint or cholera. The ordinary time that elapses between the administration of arsenic and death is from eighteen hours to two and a-half days. The exceptions to this are numerous: some of them are very anomalous as to the shortness of the interval. The shortest are two or two and a-half hours; these have been ascertained; but it is not always possible to ascertain when it is administered. The time between which the poison is administered, and the manifestation of the symptoms is about two hours. I had a case lately in which it was five hours. There are also cases in which it was seven and even ten hours. It does not appear that the size of the dose affects this; it does not depend on the amount taken, within certain bounds of course; but I speak of the case as arsenic is usually administered. There are a good many cases of large doses. I think the dose in this case must have been double, probably more than double the quantity found in the stomach. A dose of 220 grains may be considered a large dose. I can't say if, in cases of as large a dose as this, they were intentionally administered; in the greater proportion of cases of suicide, the dose is generally found to be large. That is easily accounted for by the desire of the party to make certain of death.

The DEAN—In a case of murder no such large quantity would be used? It is in cases of suicide that double-shotted pistols are used and large doses given.

Witness—But murder, even by injuries, and also by poison, is very often detected by the size of the dose. In all cases of poisoning by arsenic there is always more used than is necessary. I cannot recollect how much has been used, but I know very well that what is found in the stomach in undoubted cases of poisoning by others has been considerably larger than what is necessary to occasion death, because the very fact of poison being found in the stomach at all, as in the case of arsenic, shows that more has been administered than is necessary, as it is not what is found in the stomach that causes death, but what disappears from the stomach.

The DEAN—But do you know any case in which so great a dose as the present was administered

Witness—I cannot recollect at the present moment. In cases of charges of murder by arsenic, it is scarcely possible to get any information as to the actual quantity used.

The DEAN—You have information here in this charge of murder?

Witness—You have information as to what was in the stomach.

The DEAN—And you are enabled to draw an inference?

Witness—Of course, my inference is drawn by a sort of probability, but that is not an inference on which I am entitled to found any positive statement.

The DEAN—Well, let me put this question. Did you ever know of any person murdered by arsenic having eighty-eight grains of it found in his stomach and intestines?

Witness—I don't recollect at the present moment.

The DEAN—Or anything approaching to it?

Witness—I don't recollect, but I would not rely on my recollection as to a negative fact.

The DEAN—You are not, at all events, able to give me an example the other way?

The Witness—Not at present. As far as my own observation goes, I can say that I never met with eighty grains in the stomach of a person who had been poisoned by arsenic. I can't say what is the largest quantity I have found.

The DEAN—If a person designs to poison another,

the use of a very large quantity of arsenic, greatly exceeding what is necessary, is a thing to be avoided?

Witness—It is a great error. [Examination continued.] In some articles of food it is easy to administer a large quantity of arsenic, and in others it is difficult to do so. It is very rare for persons to take meals after arsenic has been administered; but there is a case of a girl who took arsenic at eleven o'clock forenoon, and at two o'clock she made a pretty good dinner. It was a French case; and the words as translated are that she made a very good dinner, though it was observed that she was uneasy previously. The author who notices that case notices it as a very extraordinary one. She died in thirteen or fourteen hours after the administration. It was a rapid case.

By the LORD ADVOCATE—The amount of matter vomited is sometimes very little; and sometimes very large doses have been thrown off by vomiting. There is one case in which half an ounce was taken and no vomiting ensued. I think chocolate and cocoa would be a vehicle in which a considerable dose might be given. Active exercise would hasten the effects of arsenic; a long walk would do so. Exercise accelerates the action of all poisons except narcotic poisons. That a man should take poison at Bridge of Allan, come to Coatbridge, walk eight miles to Glasgow, and reach Glasgow in good health and spirits, I should think very unlikely; cases of protraction for five hours have occurred in persons who had gone to sleep after taking it. From half-an-hour to an hour is the usual time between administration and the symptoms manifesting themselves. In my analysis the colouring matter of the arsenic might have been there. The administration of previous doses predisposes the system to the effects of poison, and makes the action of the poison more rapid and violent. If the individual had recovered entirely, this would not be so much the case; but if he still laboured under derangement of the stomach, I should look for very violent effects.

Amadee Thuau, examined through an interpreter—I am a clerk in Glasgow, and lodged with Mrs Jenkins in March last. I knew M. L'Angelier, who also lived there. We took our meals together in the same room. Being shown a photograph, witness identified it as one seen in L'Angelier's room. It was the portrait of his intended. I am not sure whether L'Angelier ever told me her name. I did hear it, I do not know exactly from whom, but I think it was from the French Consul. I was in the habit of speaking with L'Angelier about her. We also spoke about the correspondence. I knew in the end of December last that he was to marry a young lady. I knew of some letters, but read none of them. In one of the letters about which M. L'Angelier spoke to me, the lady claimed back some of her letters. This is a pretty long time ago. Remember the French transport Neuve, at the Broomielaw. Remembers going with M. L'Angelier aboard. I do not remember when exactly. I think that on the way there he delivered a letter, but I do not know the name of the street. I know Blythswood Square in Glasgow, and it was in a street close by. When M. L'Angelier got to the house he made a slight noise on a pane of glass of the window. Witness was waiting at a short distance. I walked on while L'Angelier delivered the letter. It is the second window from the corner. I have since shown that window to a police officer. L'Angelier was sometimes in the habit of going out at night. I knew where he went on these occasions—to his intended's house. Recollect one morning finding that L'Angelier had been out, and very ill in the night. I asked whether he had seen the lady; he said that he saw her. I also asked if he had been unwell after seeing her. He said that he was unwell in her presence. I recollect a second illness of L'Angelier. Do not think L'Angelier was out the night before that. I did not ask him any questions. L'Angelier insisted to go for a doctor—for his own doctor. I went to lodge at Mrs Jenkins at the end of December, and all that I have said about L'Angelier took place after I went to lodge there. On the occasion of his two illnesses he was ill at night, and vomited. I don't remember if he said anything on the occasion of his illness about the letters. I went for Dr Thomson at L'Angelier's request. I did so on the second occasion. I think I remember L'Angelier's coming home from Edinburgh. I recollect getting a letter from L'Angelier. Identify 131 as the letter:—

"MY DEAR SIR,—I have just received yours of Saturday. I thank you for your attention. I intend to come to sleep in Glasgow to-morrow, so I beg of you to detain my letters after this evening. I feel a little better, but it does not go on as I would like. I have no letter from Mr Mitchell; I want very much to know what he wanted with me.

"Monday, Eleven o'clock."

The date is Monday, eleven o'clock, and that the address is to M. L'Angelier, at Mrs Jenkins', Great Western Road. March 16th is the date of the post-mark. Recollect L'Angelier going to Stirling. Before going he left instructions about his letters. Shown a letter; identified the same as the instructions in question. The instructions were only for one day—two days perhaps. Two letters came when he was away; one he sent to Stirling, the other to Bridge of Allan. Shown an envelope, but could not identify it as like that of one of the letters which came. Shown envelope in which he sent the letter to Stirling, and identifies it. Shown another envelope, and identifies it as that in which he sent the letter to the Bridge of Allan. Would not know the letter I sent to the Bridge of Allan if I saw it. In conversing with L'Angelier about the lady, does not think her name was mentioned. The correspondence was carried on against the wish of the family. The house where L'Angelier delivered the letter was the house where she lived. Left town on the Saturday before L'Angelier died, and did not expect him to return so soon from the Bridge of Allan. A gentleman called upon L'Angelier, and think his name was Mitchell. I wrote to L'Angelier to say this gentleman had called.

By the DEAN—I saw L'Angelier take laudanum. I saw him take it several times. I once told him that he took too much. L'Angelier said that he could not sleep; and that he took it because he could not sleep. Do not know when this was. L'Angelier once said to me that he had taken much laudanum. He told me that the morning after he had taken it. I have seen L'Angelier take laudanum four or five times.

By the LORD JUSTICE-CLERK—I mean by saying that L'Angelier took much laudanum that he did so when suffering a good deal.

Auguste Vauvert de Meau, examined by the LORD ADVOCATE—I am chancellor to the French Consul. I was acquainted with the late M. L'Angelier. I was acquainted with him for about three years. I know Miss Smith. I was acquainted with her family. I knew that in 1856 there was a correspondence going on between L'Angelier and Miss Smith. L'Angelier confided to him this circumstance. Mr Smith had a house at Row, and I lived at Helensburgh. L'Angelier

stayed a night or two with me. When he asked my advice I told him that he ought to go to Miss Smith's family and tell them of his attachment. I told him that was the most gentlemanly way. He said that Mr Smith was opposed to it, and he did not think it was necessary to apply to him; and that Miss Smith had spoken to her father, and that he was opposed to it. That is more than a year ago. I am aware from what L'Angelier said that there was a correspondence going on between them. I remember that L'Angelier came to my office a few weeks before his death and he spoke about Miss Smith. I said that Smith was to be married to some gentleman; and when I mentioned the public rumours, he said that it was not true, but if it was to come true, he had documents in his possession that would be sufficient to forbid the bans. I don't recollect whether he said that Mr Smith had written to him on the subject of her reported marriage. I did not see him after that time. I thought that, having been received by Mr Smith in his house. I did not think that I was at liberty to speak to Mr Smith, but after L'Angelier's death I thought it was my duty to mention the fact of the correspondence having been carried on between L'Angelier and his daughter, in order that he should take steps to exonerate his daughter in case of anything coming out. I knew that he had letters from Miss Smith in his possession. I called on Mr Smith in the evening of the death of M. L'Angelier, and told him that M. L'Angelier had in his possession a great number of letters from his daughter, and that it was high time to let him know this, that they might not fall into the hands of strangers; I said numbers of people might go to his lodgings and read them. I went to Mr Huggins; he was not in, but I saw two gentlemen, and told them what I had been told to ask; they said they were not at liberty to give the letters without Mr Huggins' consent. I then asked them to keep them sealed up till they were disposed of. I think that was on the Tuesday after his death. I went back to Mr Smith next day. Shortly after I saw Mr Smith. I went, in consequence of rumours, to Miss Smith's house, and saw her in presence of her mother. I apprised her of the death of L'Angelier. She asked me if it was of my own will that I came to tell her, and I told her it was not so, but that I came at the special request of her father. I asked if she had seen L'Angelier on Sunday night; she told me that she did not see him. I asked her to put me in a position to contradict the statements which were being made as to her relation with L'Angelier. I asked her if she had seen L'Angelier on Sunday evening or Sunday night, and she told me she did not see him. I observed to her that M. L'Angelier had come from the Bridge of Allan to Glasgow on a special appointment with her, by a letter written to him. Miss Smith told me that she was not aware that L'Angelier was at the Bridge of Allan before he came to Glasgow, and that she did not give him an appointment for Sunday, as she wrote to him on Friday evening giving him the appointment for the following day—for the Saturday. She said to me that she expected him on Saturday, but that he did not come, and that she had not seen him on Sunday. I put the question to her perhaps five or six different times, and in different ways. I told her that my conviction at the moment was that she must have seen him on Sunday; that he had come on purpose from Bridge of Allan on a special invitation by her to see her; and I did not think it likely, admitting that he had committed suicide, that he had committed suicide without knowing why she asked him to come to Glasgow.

The Lord Justice-Clerk—Did you know of this letter yourself?

Witness—I heard that there was such a letter. I said to Miss Smith that the best advice that a friend could give to her in the circumstances was to tell the truth about it, because the case was a very grave one, and would lead to an inquiry on the part of the authorities; and that if she did not say the truth in those circumstances, perhaps it would be ascertained by a servant, or a policeman, or somebody passing the house, who had seen L'Angelier—that it would be ascertained that he had been in the house, and that this would cause a very strong suspicion as to the motive that could have led her to conceal the truth. Miss Smith then got up from her chair and told me, "I swear to you M. Meau that I have not seen L'Angelier," not on that Sunday only, but not for three weeks, or for six weeks, I am not sure which.

The Lord Justice-Clerk—And the mother was present.

Witness—The mother was present. This question I repeated to Miss Smith five or six times, as I thought it of great importance, and her answer was always the same. I asked her in regard to the letter by which L'Angelier was invited to come and see her—how it was that, being engaged to be married to another gentleman, she could have carried on a clandestine correspondence with a former sweetheart. She told me that she did it in order to try to get back her letters.

The Lord Advocate—Did you ask her whether she was in the habit of meeting L'Angelier?

Witness—Yes. I asked if it was true that L'Angelier was in the habit of having appointments with her in her house; and she told me that L'Angelier had never entered into that house, meaning the Blythswood Square house, as I understood. I asked her how then she had her appointments to meet with him. She told me that L'Angelier used to come to a street at the corner of the house (Main Street), and that he had a signal by knocking at the window with his stick, and that she opened the window, and used to talk with him.

The Lord Advocate—Did she speak about the former correspondence with him at all?

Witness—I asked her if it was true she had signed letters in L'Angelier's name, and she told me that she had done so.

The Lord Justice-Clerk—Do you mean that she added his name to hers?

Witness—I meant whether she signed her letters with L'Angelier's name, and she said yes.

The Lord Advocate—Did she say why she did so?

Winess—I did not ask her.

By Mr Young—I went in 1855 to live in Helensburgh. M. L'Angelier visited me then, and once he came on a Saturday to my lodgings there, and on Sunday we went on the Luss Road. I went up to my room, and L'Angelier not coming in for his dinner, I called for him out of temper, and asked why he did not come in, and was keeping me from my dinner? I then found that he was ill, and was vomiting down the staircase. He once complained to me of being bilious. This was a year ago. He complained of once having had cholera. Last year he came to my office and told me that he had had a violent attack of cholera, but I don't know whether that was a year or two years ago. I think it was a journey he was to have made that led him to speak of

having had the cholera. I don't recollect whether he was unwell at the time. I know that when L'Angelier came to my house he always had a bottle of laudanum in his bag, but I don't know if he used it. I once heard him speak of arsenic, it must have been in the winter of 1854. It was on a Sunday, but I don't recollect how the conversation arose; it lasted about half an hour. Its purport was, how much arsenic a person could take without being injured by it. He maintained that it was impossible to do it by taking small quantities; but I don't know what led to the conversation. I would be afraid to make any statement as to the purpose for which he said it was to be taken. I have seen something about it in a French dictionary on chemistry and other subjects. I am afraid of making a mistake—confounding this book with others I have read. L'Angelier stated to me that he had once been jilted by an English lady, a rich person, and he said that, on account of that deception, he was almost mad for a fortnight, and ran about, getting food from a farmer in the country. He was easily excited; when he had any cause of grief he was affected very much.

By the LORD JUSTICE-CLERK—After my marriage I had little intercourse with L'Angelier. I thought that he might be led to take some harsh steps in regard to Miss Smith, and as I had some young ladies in my house I did not think it was proper to have the same intercourse with him as when I was a bachelor.

The LORD ADVOCATE—What do you mean by "harsh steps?"

Witness—I was afraid of an elopement with Miss Smith. By harsh I mean rash. This was after L'Angelier had given me his full confidence as to what he would do in the event of Miss Smith's father not consenting to the marriage with his daughter.

The LORD JUSTICE-CLERK—Did you understand that Miss Smith had engaged herself to him?

Witness—I understood so from what he said.

The LORD JUSTICE-CLERK—When you used the expression, "You thought it right to go to Mr Smith about the letters, in order that he might take steps to vindicate his daughter's honour or prevent it from being disparaged," did you relate to him her engagement and apparent breach of engagement. Had you in view that the letters might contain an engagement which she was breaking, or that she had made a clandestine engagement?

Witness—I thought that these letters were love-letters, and that it would be much better that they should be in Mr Smith's hands than in the hands of strangers.

The LORD ADVOCATE—What were L'Angelier's usual character and habits?

The LORD JUSTICE-CLERK—Was he a steady fellow?

Witness—My opinion of L'Angelier's character at the moment of his death was, that he was a most regular young man in his conduct, religious, and, in fact, that he was most exemplary in all his conduct. The only objection which I heard made to him was that he was vain and a boaster, boasting of grand persons whom he knew. For example, when he spoke of Miss Smith he would say, "I shall forbid Madeleine to do such a thing, or such another thing. She shall not dance with such a one or such another."

The LORD JUSTICE-CLERK—Did he boast of any success with females?

Witness—Never.

The LORD JUSTICE-CLERK—Did he seem jealous of Miss Smith paying attention to others?

Witness—No; of others paying attentions to Miss Smith.

The LORD JUSTICE-CLERK—It was not on account of any levity in his character that you discouraged him visiting you after your marriage?

Witness—No; I thought that his society might be fit for a bachelor, but not for a married man.

The DEAN—Do you understand the word "levity?"

Witness—Yes; lightness, irregularity.

The LORD JUSTICE-CLERK—How long was it since you had seen him when he came to you a short time before his death? Had there been a long cessation of intercourse?

Witness—Yes; there had been a long cessation.

The LORD ADVOCATE—(Showing witness a Daguerreotype of L'Angelier)—Is that like L'Angelier?

Witness—Yes; it is a good likeness.

The LORD JUSTICE-CLERK—About what age was he?

Witness—Between twenty-eight and thirty, I think.

The LORD JUSTICE-CLERK—Did he bring recommendations to you, or did you get acquainted with him accidentally?

Witness—I think I got accidentally acquainted with him in a house in Glasgow, but I do not recollect.

The Court adjourned shortly after six o'clock till tomorrow.

THIRD DAY.—Thursday, July 2, 1857.

The Court met at ten o'clock this morning.

Charles O'Neill, civil-engineer and architect, Glasgow, examined by the SOLICITOR-GENERAL—I was employed by the public authorities to make a plan of the house, No 7 Blythswood Square, which was occupied by Mr James Smith, the father of the panel. (Shown plan.) This is the plan which I made, and it is an accurate one. The house is at the corner of Blythswood Square and Main Street entering from Blythswood Square. It consists of two floors—a street floor and a sunk floor. The lobby as you go in, runs along the side wall of the house to the left-hand side; there are no rooms to that side. On the right-hand side there is first the drawing-room, dining-room, then a space occupied by the stairs entering from Main Street to the houses above, but which are no portion of Mr Smith's house. The passage takes a turn a little to the right there, and becomes narrower than the lobby. After it turns, there is a small pantry facing the lobby, and beyond that there are three bedrooms. Down stairs there is an area-door to Blythswood Square, and a door at the back of the house. leading into an inner area which opens into a lane. Going in at the front area-door, on the left hand there is a small bedroom, and to the right is the kitchen Beyond the bedroom, to the left, there is a closet and wine-cellar. Beyond the kitchen, to the right, there is another bed oom, with a window looking to Main Street. That is marked, "No. 5, Madeleine's bedroom." The lower side of these windows are about eighteen inches below Main Street, and there are iron gratings and stanchions over them. The glass of the window is about six inches from the street, so that a person standing in the street and putting their arms through the railings can easily touch the windows; and anything let fall inside the railings would fall on the level of the sill of the window. Anything so let fall could be picked up by a person opening the window. Where the passage passes that room there are stairs, then a painting, and beyond that a bedroom, marked on the plan, "C. H. 7." That is the room nearest to the back door. On the right hand side of the passage there is no accommodation in Mr Smith's house. It belongs to other houses. The height of the room, No. 5, from the floor to the side of the window is about three or four feet. It is just an ordinary window. The lane at the back of the house leads from Main Street, and it opens into Main Street, so that a person has no difficulty in getting from that Street to the door of the back area. The house next to the lane in Main Street is occupied by Mr Minnoch and Mr Douglas. That is a common stair

By Mr YOUNG—The door in Main Street is the door of the common stair leading to the houses above; that is the door leading to Mr Minnoch's house. The plan shows six windows altogether in sunk floor; three look into the area in front, to Blythswood Square, two to Main Street, and one into the area behind. I can't say whether all of these windows are stanchioned outside with iron bars; those in Main Street are. I took no note as to the other windows. The sill of the windows in the bedroom No. 5 is three or four feet above the floor; I did not measure. There are eight steps leading up to the front door of the house; I can't say how many lead down to the area; it is an area of about six feet deep. I did not measure the distance between the sill of the window and Main Street. Main Street inclines towards the lane; it is lower towards the lane; it declines towards the lane. I did not try the gradient; there is a fall of about six feet between Blythswood Square and the lane; that is in a distance of about ninety-eight feet. There is a wall between the back area and the lane. I did not measure its height.

The LORD JUSTICE-CLERK—You might have as well not made a plan at all, Sir.

By the SOLICITOR-GENERAL—I was asked to make a ground-plan of each floor.

The prisoner's declaration was then read as follows:—

My name is Madeleine Smith. I am a native of Glasgow; twenty-one years of age, and I reside with my father, James Smith. architect, at No. 7 Blythswood Square, Glasgow. For about the last two years I have been acquainted with P. Emile L'Angelier, who was in the employment of W. B. Huggins & Co., in Bothwell Street, and who lodged at 11 Franklyn Place. He recently paid his addresses to me, and I have met with him on a variety of occasions. I learned about his death on the afternoon of Monday the 23d March current from Mamma, to whom it had been mentioned by a lady, named Miss Perry, a friend of M. L'Angelier. I had not seen M. L'Angelier for about three weeks before his death, and the last time I saw him was on a night about half-past ten o'clock. On that occasion he tapped at my bedroom window, which is on the ground floor, and fronts Main Street. I talked to him from the window, which is stanchioned outside, and I did not go out to him, nor did he come in to me. This occasion which, as already said, was about three weeks before his death, was the last time I saw him. He was in the habit of writing notes to me, and I was in the habit of replying to him by notes. The last note I wrote to him was on the Friday before his death—viz., Friday, the 20th March current. I now see and identify that note and the relative envelope, and they are each marked No. 1. In consequence of that note I expected him to visit me on Saturday night the 21st current, at my bedroom window, in the same way as formerly mentioned, but he did not come, and sent no notice. There was no tapping at my window on said Saturday night, or on the following night, being Sunday. I went to bed on Sunday night about eleven o'clock, and remained in bed till the usual time of getting up next

morning, being eight or nine o'clock. In the course of my meetings with M. L'Angelier he and I had arranged to get married, and we had at one time proposed September last as the time the marriage was to take place, and subsequently the present month of March was spoken of. It was proposed that we should reside in furnished lodgings, but we had not made any arrangement as to time or otherwise. He was very unwell for some time, and had gone to the Bridge of Allan for his health, and he complained of sickness, but I have no idea what was the cause of it. I remember giving him some cocoa from my window one night some time ago, but I cannot specify the time particularly. He took the cup in his hand and barely tasted the contents, and I gave him no bread to it. I was taking some cocoa myself at the time, and had prepared it myself. It was between ten and eleven P.M. when I gave it to him. I am now shown a note or letter and envelope which are marked respectively No. 2, and I recognise them as a note and envelope which I wrote to M. L'Angelier, and sent to the post. As I had attributed his sickness to want of food, I proposed, as stated in the note, to give him a loaf of bread, but I said that merely in a joke, and, in point of fact, I never gave him any bread. I have bought arsenic on various occasions. The last I bought was a sixpenceworth which I bought in Curry the apothecary's shop in Sauchiehall Street, and, prior to that, I bought other two quantities of arsenic, for which I paid sixpence each—one of these in Currie's, and the other in Murdoch the apothecary's shop, in Sauchiehall Street. I used it all as a cosmetic, and applied it to my face, neck, and arms, diluted with water. The arsenic I got in Currie's shop I got there on Wednesday the 18th curt., and I used it all on one occasion, having put it all in the basin where I was to wash myself. I had been advised to the use of the arsenic in the way I have mentioned by a young lady, the daughter of an actress, and I had also seen the use of it recommended in the newspapers. The young lady's name was Jubilee, and I had met her at school at Clapham, near London. I did not wish any of my father's family to be aware that I was using the arsenic, and therefore never mentioned it to any of them, and I don't suppose they or any of the servants ever noticed any of it in the basin. When I bought the arsenic in Murdoch's, I am not sure whether I was asked or not what it was for, but I think I said it was for a gardener to kill rats or destroy vermin about flowers, and I only said this because I did not wish them to know that I was going to use it as a cosmetic. I don't remember whether I was asked as to the use I was going to make of the arsenic on the other two occasions, but I likely made the same statement about it as I had done in Murdoch's, and on all the three occasions, as required in the shops, I signed my name to a book in which the sales were entered. On the first occasion I was accompanied by Mary, a daughter of Dr Buchanan of Dumbarton. For several years past Mr Minnoch, of the firm of William Houldsworth & Co., has been coming a good deal about my father's house; and about a month ago Mr Minnoch made a proposal of marriage to me, and I gave him my hand in token of acceptance, but no time for the marriage has yet been fixed; and my object in writing the note No. 1 before-mentioned was to have a meeting with M. L'Angelier, to tell him that I was engaged in marriage to Mr Minnoch. I am now shown two notes and an envelope bearing the Glasgow postmark of 28th January, which are respectively marked No. 3, and I recognise these as in my handwriting, and they were written and sent by me to M. L'Angelier. On the occasion that I gave M. L'Angelier the cocoa, as formerly mentioned, I think that when I used it it must have been known to the servants and members of my father's family, as the package containing the cocoa was lying on the mantelpiece in my room; but not one of the family used it except myself, as they did not seem to like it. The water which I used I got hot from the servants. On the night of the 18th, when I used the arsenic last, I was going to a dinner-party at Mr Minnoch's house. I never administered, or caused to be administered, to M. L'Angelier, arsenic or anything injurious. And this I declare to be truth.

(Signed) MADELEINE SMITH.

Mary Buchanan—Dr Buchanan of Dumbarton is my father. I am acquainted with Miss Smith. One day last spring, I went into a chemist's shop in Sauchiehall Street; it was Currie's shop. I don't remember if she told me what she was going in for. I heard her ask for arsenic. She was told by the shopman that she must sign her name. He did not ask her what she wanted with it. I asked her that in the hearing of the shopman, and she said it was to kill rats. She got the arsenic. I am not sure, but I think she got sixpenceworth. She brought it away with her. When I asked what she was going to do with it, and when she said to kill rats, the shopman suggested phosphorous, but she said she had tried that before, and was unsuccessful; but she said that the family was going to the Bridge of Allan, and there was no danger in leaving it lying about in the town house as it would be put down in the cellars. I think I had no further conversation with her about it. I think she asked sixpence worth. I think she asked the shopman something about what was a dose, and he said such a quantity as she named would kill a great many people. She turned to me and said she only wanted it for rats. I said nothing more. Leaving the shop, I laughed at the idea of a young lady buying arsenic; she said nothing but laughed too. That was on the 6th March. I knew that she was going that day to Bridge of Allan. I was at school with Miss Smith at Clapham, near London; she came after I was there two years, and I think she was there a year along with me. I have been acquainted with her ever since. I have frequently seen her write, and am well

acquainted with her handwriting. I have been shown by the Procurator Fiscal a number of letters, and I examined them carefully with the view of ascertaining if they were in her handwriting; and I came to the conclusion that they were her's. I marked the letters with her initials. I think it was in the autumn of 1852 or 1853 that Miss Smith came to school at Clapham; it must have been 1853 I think. Her full name is Madeleine Hamilton Smith. In the course of last spring she wrote to me, telling me she was engaged to be married; that was in the very end of February. She said she was engaged to Mr Minnoch. She afterwards spoke to me on the subject on the 6th and 31st March. On both these occasions she spoke of herself as engaged to be married to Mr Minnoch, and of the marriage as likely to take place in June. She spoke of no doubt or difficulty about it at all.

Cross-examined by Mr YOUNG—I stay at Dumbarton, but I had come up to Glasgow on the 6th. I visited Mr Smith's house at Row, and when I came to Glasgow I called at Blythswood Square. I called there on the 6th of March. Miss Madeleine was not in when I called, but she came in before I left. We went out together. She said she wished to talk to me of her marriage. I had no time to wait, and she then said she would walk so far on the way home. We went out together, and went along the street. There had been an old promise at school, that whichever was engaged to be married first should ask the other to be bridesmaid. We went to Sauchiehall Street, and along that street. Currie's shop is in that street. When we came to it she said, "Oh, just stop a minute, I want to go into this shop, will you go with me?" and we went into the shop together. I think there were two young men behind the counter. We both went forward to the counter. Miss Smith asked for arsenic, and the shopman said you must sign your name. She said—"Oh, I'll sign anything you like." She signed "M. Smith," and asked if that would do. Before this I remember Miss Smith asked the shopman how arsenic was sold. She said, "How do you sell arsenic?" and I think she said "would sixpence-worth be a large quantity?" I did not sign the book. Everything was done very openly. She paid for it. When we were at school at Clapham, I remember, whether in a lesson or when reading in the evening, I forget, that an account was given of Styrian peasants taking arsenic to give them breath to climb steep hills, and about their having a peculiar plumpness and rosiness of complexion. I think it was in the course of reading in the evenings. I cannot remember who the governess was. I remember a Miss Guibilei. She was a pupil teacher. She gave her services as a teacher of music in exchange for being taught other things herself. She was there I think at the time of the reading. I suppose Miss Smith was there. I don't remember, but we were always obliged to be present at these readings, and so I should think Miss Smith was there. The rest of Miss Smith's family went to Bridge of Allan on the 6th March, the day I called.

By the LORD JUSTICE-CLERK—I met Miss Smith by appointment on that day at half past one; she had written to me at Dumbarton. On the 30th I was with her from about three to half-past four in her own house. I had been visiting in Glasgow at that time for a week or two. I was staying with Mr Dickson, Woodside Terrace. Nothing particular passed between us on the 31st. She talked of her marriage, but she did not begin about it, I asked her. This was on a Monday; so that it was on the 30th, not the 31st, that I saw her.

The LORD JUSTICE-CLERK suggested that, to save time, the junior counsel on each side should retire to have the letters which witness had been shown identified by her. This was accordingly done, and witness retired along with her father, who had accompanied her into Court. Whilst giving her evidence Miss Buchanan wept bitterly.

Augusta Guibilei or Walcot, examined by Mr MACKENZIE—I was a pupil-teacher at a school at Clapham, at which Miss Smith was in the year 1852. I never advised her to use arsenic as a cosmetic, or to apply it to her face, neck, or arms mixed with water, nor to use it in any way. I had no conversation with her, that I recollect of, about the use of arsenic. I believe I had no conversation with her about the use of cosmetics in their external application to the skin. I recollect one evening, in the course of reading, it was mentioned that Swiss mountaineers took arsenic to improve their breathing in ascending hills, and that those who took it were remarkable for plumpness, and a general appearance of good health. I believe I had no conversation with Miss Smith about this passage. My maiden name is Augusta Guibilei.

William Murray examined by the LORD ADVOCATE—I was servant with Mr Smith in Blythswood Square. I went to his service at the November term. I slept in the room on the right hand side going in at the area door looking into Blythswood Square. Miss Smith slept in the room next the kitchen, on the right hand side. That room has two windows to Main Street. There were in the house beside me a cook and housemaid, Christina Haggart and Charlotte M'Lean; they slept in the room at the other end of the passage from the kitchen, close by the back-door. Miss Madeleine sent me to an apothecary about four months ago. I never heard of Mr L'Angelier's death till I was examined by the Procurator-Fiscal. I recollect Miss Madeleine being missed from home one morning; it would be six weeks or two months before that, that she asked me to go to the apothecary's. I was told to get prussic acid. She gave me a line with "a small phial of prussic acid" written on it. I took it to the apothecary's. He did not give me the prussic acid. I went back and told Miss Smith so; she said, "Very well, never mind." She said she wanted it for her hands. I don't recollect whether I gave her back the line. I don't remember if I got it back from the man in the shop. I did not know M. L'Angelier by sight. I have posted letters for Miss Smith. I have observed some letters with an address like L'Angelier, but I could not make out what it was. It was my duty to lock the area gate; sometimes I forgot to do it. I remember Sunday, 22d March. I went to bed at ten, or thereabouts. I slept very soundly. I heard no noise before the morning. Miss Smith had not gone to her room before I went to bed. The day that she was missing was on the Thursday after the 22d of March. I heard about ten o'clock that she had gone away. Mrs Smith told me; she came back that night. On the 22d March Christina Haggart was ill. She kept her bed till about six o'clock that evening. I parted from her on the stair after coming down from worship, and went into the kitchen. Miss Smith did not tell me what shop to go to for the prussic acid. I went into Dr Yeaman's surgery in Sauchiehall Street.

By the DEAN—It was the nearest shop. It was at the corner of Cambridge Street. Miss Smith did not

tell me to go to any particular shop. It was at her bedroom door she gave me the line. She called to me. I was in the kitchen. She spoke quite loud. I don't know that anybody heard her. The servants were in the kitchen. They could hear her if they were listening. She said she wanted a small phial of prussic acid, and she told me to take care of it for it was poison. The shopman asked who it was for, and I told him. He said to tell her that she could not get it without a physician's line, and that it was very rank poison. I had been once or twice in the shop. They knew where I came from. Last winter, Mr and Mrs Smith, Mr John Smith, Miss Bessie Smith, Miss Janet, and Miss Madeleine Smith, were members of the family living in Blythswood Square. Miss Madeleine is the eldest, Bessie the second, and Janet the youngest. Miss Janet looks like a girl of thirteen. Miss Janet always slept with Miss Madeleine—in the same room and the same bed. I had no charge of the back door. I had charge of the area gate and the upper front-door, not of the area door. I believe the cook, Charlotte M Lean, generally locked the back door and the front area door. On the evening of Sunday the 22d March all the family and servants were at prayers. Miss Madeleine was there also. Nine o'clock is the usual hour for prayer, and they were about the usual hour that night. When I came down stairs I went into the kitchen and stopped five minutes and then I went to bed. I waited at breakfast next morning as usual. Miss Smith was there as usual. At this time a young man named Mackenzie was visiting Christina Hargart; she is married to him now. Miss Smith and Miss Janet sometimes got hot water before going to bed. They got it from the kitchen in a jug, not in a kettle. I did not see Mac" kenzie visiting Christina that Sunday night. There are two windows in the kitchen, one in my room, two in Miss Smith's room, and one in the housemaid's room; they are all secured with iron stanchions; I am not sure about the housemaid's, but all the others have.

By the Lord Advocate—There are two windows in Miss Madeleine's room; they look to Main Street; the sill of one of the windows of her bedroom is a little below the street, nearly flush with the pavement. I heard no noise in the house on the night of the 22d. I heard nobody go out or come in; the key of the area gate was sometimes kept in my room, and sometimes in the kitchen. There were two keys; one of them hung on a nail in the kitchen; very seldom both were in the kitchen. The key of the front area-door was hanging near my room; the key of the back gate was taken charge of by the housemaid; any person could have got it. There is a gate and a door opening to the lane; I spoke of the key of the gate; the key of the door is generally left in the door, and also the key of the front door.

By the Dean—There is no gate at the back; it is a wooden door. There is a wall about six feet high; there is broken glass on the top of it. There are two keys for the area gate.

George Yeaman, examined by the Lord Advocate—I am a medical man in Glasgow, and have a laboratory in Stuchiehall Street. I remember hearing of M. L'Angelier's death. On hearing of it I recollected the circumstance of a paper containing writing having been presented to me by my assistant, on which was written the words, "half an ounce of prussic acid." I have no means of saying, with any degree of certainty, how long that would be before L'Angelier's death. I should say it would be from four to eight weeks. I went into the shop when the line was brought to me. I saw a boy, who said he came from Miss Smith, Blythswood Square. I asked whether he knew what he wanted, and he said he thought it was poison. I then said that if Miss Smith would call herself, I would see whether or not she should have it. I did not give it to him. Miss Smith did not come, so far as I saw or heard of.

James Stewart—I heard of Miss Smith being apprehended. I was then in the service of Dr Yeaman. I recollect a boy coming to the shop for prussic acid. To the best of my recollection, it was six or eight weeks before I heard of Miss Smith's apprehension.

Cross-examined—I knew the boy. He had been at the laboratory before.

Miss Buchanan recalled—I have had shown to me a number of letters marked with my initials. I satisfied myself they are in Miss Smith's handwriting. Mr Moncrieff showed me a number of letters and envelopes, and I satisfied myself they were in Miss Smith's handwriting, excepting some envelopes. I have initialed a sheet of paper containing the numbers of these letters. With the exception of some envelopes, all the documents are in Miss Smith's handwriting.

The sheet of paper containing the numbers was here handed in.

George Murdoch, examined by the Lord Advocate—I am partner in the firm of Murdoch Brothers, druggists, Sauchiehall Street. We keep a registry-book of the poisons sold by us. Shown book—This is the register that I keep. In it is entered all the arsenic which we sell by retail. Under date 21st February we have an entry here—"February 21—Miss Smith, 7 Blythswood Square, 6d. worth of arsenic for garden and country-house.—M. H. Smith." This is also initialed by me. I recollect that purchase being made. It was made by Miss Smith herself. As far as I remember she was alone. I was engaged in one of the back rooms when our assistant called my attention to a lady who wished to purchase 6d. worth of arsenic. I went forward and saw Miss Smith; she recognised me, and bowed. I named the form that was required in the sale of it, and requested to know for what purpose it was needed, and she answered, "For the garden and country-house." I was aware Mr Smith had a country-house on the Gareloch, and I directed my assistant to put up the arsenic; while he did so, I made the entry in the book, which Miss Smith signed, and I signed it as a witness. I don't remember seeing the parcel made up; but the usual mode is to put it in a double parcel. It was common white arsenic, mixed with soot in the proportion required by the Act. I saw her again some three days after; she called and inquired if arsenic should not be white. I said it required to be sold mixed with something else. She did not purchase any more on that occasion. Sometime afterwards my assistant delivered to Dr Penny some arsenic from the same bottle. I was there when my assistant Dickie gave it. Shown phial labelled and signed by Dickie.

By Mr Young—My shop is about three or four minutes' walk from Blythswood Square. Miss Smith and her family were in the habit of dealing in my shop. Miss Smith got 1½ oz. of arsenic for the 6d. I don't remember if she paid it. I have seen an entry in the journal of sales on that day to Mr Smith—"Two dozen soda water, 6d. worth of arsenic, send and charge,' with a mark that the arsenic was sent. The journal is kept daily, and the entry is posted into the day-book and ledger in Mr Smith's account—all in the regular course of our book-keeping. I understood the quantity of soot used in the arsenic was an ounce to the pound. That is more soot than the statute requires, but that was the proportion we used. I don't recollect

the date that Dr Penny got arsenic from the same jar.

By the LORD ADVOCATE—I can't say with certainty if Miss Smith paid for the arsenic. My impression when first called on to speak in reference to this matter, was that it had been paid, but on seeing this entry I felt certain in my own mind that it had not been paid.

By Mr YOUNG—As soon as I saw this entry in the book I communicated the fact to the Fiscal.

James Dickie, examined by the LORD ADVOCATE—I was assistant to Mr Murdoch last February. I knew Miss Smith at that time by sight. I recollect her coming to purchase arsenic. She said she wanted to send it to the gardener at the country-house. I can't recollect if she mentioned the purpose. She got it. [Shown phial.] This contains arsenic from our shop prepared in the same manner. It was duly registered in the registry book, and signed by Miss Smith. I can't recollect if it was paid for at the time; it was entered in the account-book as unpaid; the account has not been rendered; she took the arsenic with her. I delivered some arsenic to Professor Penny on the 18th April; it was from the same bottle as that from which the arsenic Miss Smith got was taken.

Cross-examined by Mr YOUNG—I have been six years in Mr Murdoch's employment. The Smiths dealt in the shop, and on the 21st February Mr Smith had an account standing in our books. I made the entry about the arsenic at the time; I entered it first in the scroll-book at the counter, as unpaid; and though I have no recollection on the subject, that satisfies me it was not paid. The entry was entered up in the other books. There is some soda water entered on the same day for Mr Smith. I have no recollection of Miss Smith giving the order for it.

George Halliburton, examined by the LORD ADVOCATE—I am assistant to Mr Currie, chemist, Sauchiehall Street. [Shown book.] This is our registry-book for the sale of poisons. Under date 6th March 1857 I see an entry—"March 6, Miss Smith, 7 Blythswood Square—arsenic, one ounce, kill rats." It has my own signature, and it is also signed "M. H. Smith." I knew her by sight before that. She was accompanied by a lady on that occasion. She asked for 6d worth of arsenic. I asked her what it was to do, and she told me it was to kill rats. I told her we were not fond of selling arsenic for that purpose in consequence of its dangerous properties; I recommended phosphorous paste, which I said would answer very well. She told me she had used that, but it had failed. She said the rats were in the house in Blythswood Square. She told me that the family were going from home next day, and that she would be careful to see it put down herself. She got the arsenic. It was mixed with indigo. [Shown phial.] This was given to me by Dr Penny in April last, and it contains arsenic taken from the same bottle. Miss Smith paid for the arsenic she got, and took it away. In the registry-book there is also an entry under date 13th March; there are no other entries this year excepting these two; that entry is—"Miss Smith, 7 Blythswood Square—arsenic, one ounce, to kill rats;" it is signed in the same way as the other. I recollect her coming for that. She asked for other 6d worth, and that in consequence of the first being so effectual—she having found eight or nine large rats lying dead—she had come back to get the dose renewed. Mr Currie was in at the time. He made some objections; he said that we never sold it except to parties we knew and to parties of respectability, and he was about to refuse it when I told him that she had got it on a former occasion, and then we gave it her; it was from the same bottle. A young lady, who, I suppose, was her sister, was with her. I never heard of arsenic, such as I gave Miss Smith, being used as a cosmetic. A preparation of arsenic is used as a depilatory for taking hairs off the face; that is, the yellow sulphurate of arsenic. She paid for the arsenic.

Cross-examined by Mr YOUNG—Both purchases were made quite openly. I don't know who accompanied Miss Smith on the first occasion. They were speaking together at the counter while I was putting up the arsenic. The young lady with Miss Smith remarked that she thought arsenic was white, and I said we had to colour it according to the Act of Parliament. I had never been the young lady who accompanied her on the second occasion before. She was a grown-up young lady; not the lady who was with her on the former occasion. I mixed the arsenic myself with the colouring matter. It was indigo. I put in the proper quantity ordered by the Act of Parliament.

By the LORD JUSTICE-CLERK—The yellow sulphurate is quite a different thing from the white arsenic. It is used as a depilatory, because it so affects the skin as to bring out the roots of the hair. That is the very opposite action from that of a cosmetic. I think any preparation of arsenic as a cosmetic would be extremely dangerous; it is not a thing we sell for that purpose. Fowler's preparation is four grains of arsenic to an ounce of fluid.

By the LORD ADVOCATE—Miss Smith said on the first occasion that rats were to be killed in the Blythswood Square house; and she spoke of these rats on the second occasion.

John Currie, examined by the LORD ADVOCATE—I am a chemist and druggist in Sauchiehal Street, Glasgow. I remember a lady, who gave the name of Miss Smith, being in my shop on the 18th March last. [Shown registry-book.] I see an entry under date 13th March, of one ounce of arsenic, signed "M. H. Smith," and also by my assistant. He was dispensing at the counter; but seeing she was not being served, I went forward and asked what she wanted. He said poison to kill rats. I suggested phosphorus paste. He said she had got some before. I said to Miss Smith that we would much rather give her something else. She did not insist on having it, but she said she would prefer having it I then stated another objection, that we never sold arsenic to any one without entering it in a book, and that she must sign her name in the book if she got it, and state the purpose to which it was to be applied. She said she had no objection to do that, and from her apparent respectability and her frankness I had no suspicion and told the young man to give it to her. She got an ounce of the same kind that Dr Penny got. I did not hear her say where the rats were. I think she said it had answered very well for the purpose for which she had got it before, but I could not be positive. She paid for it. I think there was a young lady with her.

William Campsie—I am in the service of Mr Smith. He has a country house at Rowaleyn, at Row. I have been in his service since 1855. I never got any arsenic or poison from Miss Smith to kill rats. I don't recollect of having any conversation with her on the subject. I never had any arsenic there for that purpose.

By Mr YOUNG—We were very much troubled with rats, and we had used phosphorus paste for them. We found it to be effectual, and we got quit of them partly, but not altogether.

Robert Oliphant, examined by the LORD ADVOCATE—I am a stationer at Helensburgh. I know the prisoner. She used to deal in our shop for envelopes and note paper. I have seen her handwriting. I was shown a number of letters by the Procurator-Fiscal; they were in Miss Smith's handwriting. I recognised

some of the envelopes as having been bought at my shop. The were stamped with the initials "M. H. S." They were stamped for her by me. [Shown No. 67 of inventory] This is one of these envelopes.

William Harper Minnoch, examined by the SOLICITOR GENERAL—I am a merchant in Glasgow, and a partner of the firm of John Houldsworth & Co. I live in Main Street, above the house of Mr James Smith. I have been intimately acquainted with his family for upwards of four years. In the course of last winter I paid my addresses to Miss Smith, and I made proposals of marriage to her on the 12th March. She accepted. The time of our marriage was fixed between us. Previously to that, I had asked her generally, without reference to any time. That was on the 28th January. I did so personally. My attentions to her, I understood, had been such as to make her quite aware that I was paying my addresses to her. She accepted me on the 28th January, and we arranged it more particularly on the 12th March. From the 28th January to the end of March there was nothing which suggested any doubt to my mind as to the engagement continuing. I had no idea that she was engaged to any other person, and I was aware of no attachment or peculiar intimacy between her and any other man. The marriage was fixed to be on the 18th June. Last season I made Miss Smith a present of a necklace; it was some time in January, before the 28th. She went along with her family to the Bridge of Allan on the 6th March; she remained there till the 17th. I visited the family while they were there. After leaving I received a letter from Miss Smith (No. 133)—that is the letter; it is dated "Monday" merely. After she came home from Bridge of Allan she dined in my house with her father and mother; that was on Monday, 19th March. I met her at dinner again at Mr Middleton's on the 25th March; I was not aware of anything wrong at that time. I called on Thursday morning, the 28th, at her father's house. She was not in the house; I was informed she had left the house. I went to Rowaleyn in company with her brother, Mr John Smith, to look for her. We went by train to Greenock, and then on board the steamer, and we found her on board; it was going to Helensburgh, and then to Row; it called at Roseneath, and then returned to Greenock. We found her in the steamer a little after two o'clock. She said she was going to Rowaleyn. I went on to Rowaleyn with her and her brother; and then we ordered a carriage and drove her up to Glasgow to her father's house. On reaching Glasgow I had no conversation with Miss Smith. I saw her again on the Saturday following. I had heard a rumour that something was wrong; she told me on the Saturday that she had written a letter to M. L'Angelier, the object of which was to get back some letters which she had written to him previously. She made no further statement at that time. I saw her again on the Sunday; there was no conversation on the subject then. I saw her on Monday and Tuesday; on Tuesday morning she alluded to the report that L'Angelier had been poisoned, and she remarked that she had been in the habit of buying arsenic, as she had learned at Clapham School that it was good for the complexion. I had heard a rumour that he had been poisoned. She said nothing further, and that was the last time I saw her. Before she made these statements to me I was not aware that she was acquainted with L'Angelier. I was not acquainted with him myself.

Cross-examined by the DEAN—On the evening of the 19th February I do not recollect where I was. I remember being at the Opera about that time—(referring to book)—yes; I was at the Opera on that night. I was accompanied by my sister and Miss Smith. My sister and myself called for Miss Smith. We went to the Opera about half-past seven o'clock; we got home about eleven o'clock. Miss Smith returned with us. She had been with us all the evening. The cab stopped at her door, and she went into her house. I did not observe who received her on that occasion; somebody opened the door. On the 26th March I suggested the probability of Miss Smith having gone to Row; her father had a house there, in which a servant was living at the time, and I thought she might be there. In consequence, I and her brother went down. When we met her in the steamer I asked her why she had left home, leaving her friends distressed about her; but I requested her not to reply to them as there were too many people present. I renewed the inquiry at Rowaleyn, and she said she felt distressed that her papa and mamma should be so much annoyed at what she had done. Mr Smith told me that she had left the house that morning; and I asked him the reason, and he said it had been some old love affair. I understood her to refer to that in the answer she made to me. She gave me no further explanation. She said not to press her and she would tell me all again. We were only about three-quarters of an hour at Row. We took her back to her father's house and left her there. On the 31st March it was she who introduced the subject of L'Angelier's death, referring to the report of his having been poisoned; that was about half-past nine in the morning. I called and inquired for Mrs Smith. I had heard she was unwell. My meeting with Miss Smith was accidental. I have mentioned all that passed on the occasion. On the 28th I reminded her of the promise she made to me at Row that she would tell me by and by. I had not heard anything of L'Angelier then. She did not mention his name. I think she said she had written to a Frenchman to get back her letters. I did not know who the Frenchman was. On the 25th I called before going to Mr Middleton's. I called for Mr Smith, but I did not see him. He was unwell and in bed. I took Miss Smith to Mr Middleton's. He is the minister of the U. P. Church, which they attend.

Mrs Clark, wife of Peter Clark, Curator of the Royal Botanic Garden, Glasgow, examined by the SOLICITOR-GENERAL—The late M. L'Angelier lived with us two years. He went from my house to Mrs Jenkins' Franklin Place. I was very intimately acquainted with him when he lived in my house. I formed a very good impression of his character. He seemed very steady and temperate; he never was late out while he lived in my house. I was led to believe that he attended church regularly; I was told so by himself, and by others who saw him; he attended St Jude's Episcopal Chapel (Mr Miles'). His general health was good. He occasionally visited my house after he went to Mrs Jenkins'. I observed that a month or two before his death his health became affected. He has spoken to me about a lady. I don't exactly remember when he did so; it was while he lived in my house; I think in the first year that he lived with me. He told me her name; it was Miss Smith. He spoke of her by her first name, "Madeleine," and by "Mimi." He gave me to understand that there was a mutual attachment between him and this lady. He said they corresponded by letter. He said they were in the way of meeting. He told me of an interruption to the correspondence. I don't remember when that was; it was while he lived in my house. He said the intimacy was afterwards resumed. I understood that it was interrupted because of Miss

Smith's father's displeasure. I understood from him that the correspondence subsisted while he was living with Mrs Jenkins. He told me that Miss Smith and he were to be married, but he did not say when the marriage was to be. I last saw him on the 5th or 6th of March. He called at my house. He did not speak of Miss Smith that day. He left my house about the beginning of July 1856, and went to Mrs Jenkins'. Shortly before his death, he spoke of a second interruption to his intimacy with Miss Smith; it was within two months of his death. He told me that he was afraid they would not get their end accomplished, as Miss Smith's father was putting stronger obstacles in the way than ever. He said nothing further at that time. He afterwards spoke on the subject, and said something to the same effect. He spoke of no coolness between Miss Smith and himself. Last time he was at the Botanical Gardens he got some silver fish. That was about the 5th or 6th of March.

Cross-examined by Mr Young—He came to my house first in May 1854. He complained of the climate not agreeing with him. He did not say particularly how it disagreed with him. He said that he was occasionally troubled with symptoms approaching to diarrhœa. I understood from himself that on one occasion when he visited Helensburgh he had been attacked with something like cholera. He had gone to visit M. De Meau there. He told me he was not in the practice of taking a cholera medicine, but he told me that he took it at that time. I saw the cholera medicine in his room. It was so labelled. I understood from him that he was not acquainted with Miss Smith's family. I understood his correspondence with her was clandestine. When he said he was to be married to her, he said his intention was to have the banns secretly proclaimed; I mean by that, unknown to her parents; and that he intended on the Monday following to have a carriage ready, and to drive to chapel and be married. He did not say that he arranged with any particular person to marry them, nor did he mention the chapel.

By the Solicitor-General—He had a very great horror of taking medicine, and did not take it while in my house.

Thomas Fleming Kennedy, examined by the Lord Advocate—I am cashier to Huggins & Co, Glasgow. I knew L'Angelier for about four years and a half, during which he was in Huggin's & Co.'s employment. He was in the habit of coming frequently to my house; he was a well behaved, well-principled, religious young man. I had a great regard for him. I had the means of judging of his character and conduct. He enjoyed general good health while in our warehouse. I never thought him very strong. He was not off duty from bad health till latterly. I think his health first became affected in February. I am not sure if he was ill in January; but in February he was laid up for a week. He got better, and came back again to the warehouse; then he got worse, and on the 9th March he got leave of absence. I think it was on the morning of the 23d February he came into my room and said, "I am ill, very ill, and have been ill the night before." I asked what was the matter with him; and I advised him to go home. He said he had fallen down on his bedroom floor at night before going to bed, and felt so ill that he could not call for assistance. He did not say what he had been doing, nor where he had been the day before. I must have seen him on the 21st (Saturday). He was confined to the house from the 23d February to Sunday, 1st March. He spoke before his death of an attachment to Miss Smith, Blythswood Square. He said very little; and I knew nothing further than that there was an intimacy till shortly before his death; he came to me one morning and asked what he should do about the correspondence. I advised him strongly to give back the letters, but he said he would not. That would be about a fortnight before the 23d of February. He said that she wrote that a coolness had arisen, and asking back her letters; I understood she had written that there was a coolness on the part of both of them. He said he would never allow her to marry another man as long as he lived. I said it was very foolish; he said he knew it was, that it was infatuation. He said, "Tom, she will be the death of me." That was about the last conversation I had with him. The last time I saw him was on the 9th March, when he left to go to Edinburgh. I know his handwriting well. [Shown No. 145.] This is a letter in his handwriting; it is addressed to me; and asks me to come to the Bridge of Allan, and to bring or send two or three pounds; he says that he had been in Stirling that day, and felt dull and cold, &c. [Shown No. 127.] This letter is from L'Angelier to me, asking me to come to Edinburgh. The postmark is "Glasgow, March 13." [Shown No. 129.] This is also in L'Angelier's handwriting; it is dated from Edinburgh; he says he is going to Bridge of Allan next day, and that he did not feel very well, but he thought it was from want of sleep; the letter bears the postmark of 16th March. [Shown No. 177 (a pocketbook)]. That is in L'Angelier's writing; my attention was called to the entries by the Fiscal. The entries are in L'Angelier's writing, excepting one on the 14th March, the last entry in his book. I am not sure that it is not his, but I am not sure that it is. I was asked to dine with Mr Macall in one of the letters I got from L'Angelier, and the entry of the 14th March relates to that dinner.

By the Dean—I never saw that book in L'Angelier's possession.

By the Lord Advocate—No. 119 is in L'Angelier's handwriting—this is a copy taken by a machine. [Shown No. 25.] This is in his handwriting too, both envelope and letter.

By the Dean—The envelope bears nothing but "Mimi." The document is not signed.

By the Lord Advocate—No. 7 is in L'Angelier's handwriting too. It bears date "10 Bothwell Street, 19th July 1855." I have seen letters in a female hand coming for L'Angelier. I knew from him that they came from Miss Smith.

The Lord Justice-Clerk—In No. 7 it looks as if the date did not belong to the letter, and had been commenced for some other purpose.

By the Lord Advocate—I don't know where L'Angelier put the letters he received from Miss Smith. After his death, Mr Stevenson gave me a bunch of keys belonging to L'Angelier. I knew there were documents in his desk. We had gone through them on the Monday of his death to endeavour to find his mother's address. I think we read one or two of L'Angelier's letters. Stevenson locked them up and gave me the key. I saw them locked up. There was nothing in the letters which induced us to take any step as to his death. On the Tuesday we again looked over them more particularly. I did not read them with attention. They were again locked up, and I got the key. On the day the Fiscal sent for the letters I gave them up, and saw them sealed and initialed. They were all given up.

By the Dean—In February L'Angelier first told me of Miss Smith's desire to break off her engagement with him; I can't say the exact day. I think that was the only occasion he said so; the conversation took place in the country-house. L'Angelier came to

The LORD JUSTICE-CLERK—Are you appointed and paid by Murray?

Witness—Yes.

The LORD JUSTICE-CLERK—Then you go about and assist Murray without any legal authority or character at all. I don't imply that you are not a better officer than Murray; but in reality you are not appointed by the Sheriff?

Witness—No.

The LORD JUSTICE-CLERK—Are you named in any warrant for search?

Witness—Not that I am aware of.

The LORD JUSTICE-CLERK—Do you execute these warrants yourself without Murray?

Witness—I have always Murray or some other officer with me.

The LORD JUSTICE-CLERK—This system is perfectly new to me.

William Wilson, examined by Mr MACKENZIE—I am assistant to the Fiscal in Glasgow. I remember a box being brought to the Fiscal's office. I saw it first in Mr Hart's and Murray's hands. I took possession of its contents, and kept them for two or three days afterwards, and returned them to Murray, with one or two exceptions, to mark and label according to the place in which he had found them. He returned them with his own and M'Lauchlin's initials. I went over them and marked the envelopes with reference to each other. With one exception they remained in my custody till they were so marked. The exception is No. 103. I took particular care in going over them to mark the letter with reference to the envelope in which it was found.

By the LORD JUSTICE-CLERK—I labelled them after Murray had initialed them.

By Mr MACKENZIE—On Wednesday the 25th March Mr Stevenson brought me seven letters, which I identify. The tourist's bag was opened on the afternoon of the 31st March; they were marked by Mr Hart and myself. Nos. 113 and 125 I believe were found in the tourist's bag. The letters found in the lodgings I afterwards marked, the letters and envelopes relatively to each other. Murray also brought the bottles found in the lodgings, a cake of cocoa, and two bottles found in the prisoner's bedroom. They were handed to Dr Penny for examination.

Cross-examined by the DEAN—I am a clerk in the office of Messrs Hart and Young. I hold no official appointment. I kept the box with the letters two or three days before giving them over to Murray. They were locked up. I kept them because the officers were actively engaged in prosecuting inquiries into this case. I took no note of the time they were out of my hands; but I think it would not be more than one or two days. I might give them away on the Friday, and they would be returned on the Saturday or Monday. I cannot say how long they were in Murray's possession; the steps in the case were so numerous and complicated that I can't recollect. It is not impossible that they might have them for a fortnight, but I think they only had them two or three days. After they were returned by Murray and M'Lauchlin, one letter was sent to Edinburgh on the 6th April, and others were examined by Mr Young and myself, and when examined, those which were considered relevant to the inquiry were selected by Mr Young and myself. Those marked by me were done partly in the office and partly in my house. I believe Mr Young did the same. The selected letters were reported to the Crown and sent to Edinburgh, and the rest were kept in a lockfast place in Mr Young's room. The letters sent to Edinburgh were not returned. They were principal letters. Many copies were made of the letters, but I cannot say whether the selected letters were copied in our office. I can't say whether they were copied in the office or taken home by the clerks. I can't say whether the Procurator-Fiscal lodged any of the letters in the Sheriff-Clerk's hands. There are none of the letters, to my knowledge, still in the Procurator-Fiscal's office. Mr Young took charge of the latter part of the inquiry. [Shown documents in the third inventory for the prisoner.] These were found in the deceased's lodgings; but I can't say whether they were only got out of the Procurator-Fiscal's office last Monday, on the application of the prisoner's agents. I don't know whether there are letters still in the Fiscal's office in Glasgow. Mr Young must answer that. I know that applications have been made within the last two months, on the part of the prisoner, for access to these letters, and the Crown desired us to refuse these requests. I know, also, that several packages were given to the prisoner's agents a few days before the indictment was served.

By Mr MACKENZIE—I believe it was by order of Crown counsel that the letters were sent to Edinburgh. I can't say if they were returned to copy, but I know they were copied. There were 199 envelopes, some containing four, and some eight pages, and so difficult to decipher that I had to use a magnifying lens. About the beginning of June instructions were sent to give the prisoner's agents full access to all the documents not labelled on; and the prisoner's agents immediately applied for them.

In reply to the Lord Justice-Clerk, witness stated that the Procurator-Fiscal had possession of the documents.

The LORD JUSTICE-CLERK observed that the Sheriff-Clerk is the party under whose warrant these things are recovered, and he is responsible for their custody, and ought to have an inventory of them made immediately. The Prosecutor ought not to have possession of them. He thought after what he had said lately at Stirling on this subject that such a thing would have been put an end to.

The Dean of Faculty having applied for the warrant issued for recovery of the documents,

The LORD ADVOCATE said he had been anxious that every facility should be given for the defence, but the prisoner had chosen to run her letters, and the case had to be prepared in a very short time. He ventured to say, however, that more facilities had been given for the defence in this case than he had ever known in any other. He had even desired that a private copy, made for his own use, should be given to the other side, before he had time to frame the indictment. They had given them a manuscript copy some days before the indictment was served, not only of the correspondence founded on, but of all the documents; but he did not think it his duty to allow access to the original manuscripts before the indictment was served.

The DEAN OF FACULTY said he was not attributing any discourtesy to his learned friend, but he complained most seriously of the conduct of his subordinates, in consequence of which they had not had the time they ought properly to prepare for this trial, and even down to this moment they had not the slightest satisfaction or certainty that they had got all the documents which had been recovered in this case.

The LORD JUSTICE-CLERK—You could apply to the Court for the recovery of any documents that may remain.

The Court then adjourned till next morning.

FOURTH DAY.—Friday, July 3, 1857.

The Court met this morning at ten o'clock.

The DEAN of FACULTY called attention to a circular which had been printed, announcing that the *Scotch Thistle* of Saturday would contain a report of the trial, along with "all the letters between the prisoner and L'Angelier." This circular was signed by "James Cunningham." Up to this moment, the Dean stated, the number of letters which had been put in evidence was extremely small, but a large number had been printed for the use of the Crown. It remained quite doubtful how many of these letters might be used in evidence; they were of a highly confidential character, quite unfit for publication, and he was sure the Lord Advocate would only use such of them as were essential to his case. In these circumstances it appeared to him that the proposed publication was a gross breach of public decorum, and a most improper misuse of materials which had somehow or other found their way into the hands of this printer. He was much disposed to leave this matter in the hands of the Court, but he must take the liberty of urging that some proceedings should be taken to prevent the proposed publication.

The LORD ADVOCATE said that if the circular to which the Dean referred had fallen into his hands, he would have taken the decisive course which his learned friend had taken on the present occasion. How these letters could have got into the hands of any person unconnected with the prosecution or defence he was unable to explain. He knew that the strongest orders had been given that no copies of those letters printed by the Crown or communicated by them to the defence should be given to any person whatever, and he had every reason to think that these orders had been most strictly obeyed. But be that as it might, he agreed with his learned friend in the extreme and gross impropriety of this publication, and he was perfectly ready to co-operate in any proceedings that might be necessary.

The LORD JUSTICE-CLERK said the Court thought that they should order the immediate attendance of the person who signed that circular. It was important to ascertain whether the publication was to be limited to the letters used in evidence, or whether the printers had a copy of all the others, and where they had got that copy; because the communication of documents of such a character, and indeed of any documents which were the property of the Crown, and part of their precognition and recovery, was a most improper proceeding and a gross contempt of Court. Mr Neaves would, therefore, make out an order for the immediate attendance of James Cunningham. He (the Lord Justice-Clerk) would get the circular from the Dean of Faculty to ascertain the address of that person, and order him to attend the Court immediately.

The order was made out and signed by the Lord Justice-Clerk accordingly.

James Hart, examined by the SOLICITOR-GENERAL.—I am joint Procurator-Fiscal in Glasgow. Mr Young is my colleague. I heard of the death of L'Angelier about the end of the week in which it happened. It happened on Monday. Mr Young I think mentioned it to me. Letters were sent I believe to my office on the 25th, but I was absent at the time, and Mr Young got them. There was at that time no criminal information lodged at the office. I saw one letter, which is 149 of the present indictment. There was an investigation going on at that time in regard to the death. It was certainly not being conducted in the expectation that a criminal charge would result of it. In the course of the investigation I saw a number of letters which were brought to the office by Stevenson and Murray. I saw them the week after L'Angelier's death. On the 31st March (Tuesday) I made a criminal charge against the panel, and got a warrant for her apprehension, which was executed the same day, and she was examined that day. Several witnesses had been examined on precognition before that. That was a precognition generally as to the death. The Procurators-Fiscal have instructions to examine into sudden deaths. In the course of the investigation I read a number of letters said to come from L'Angelier's repositories. They were for the most part in envelopes. I was particularly careful to return each letter to its own envelope.

Cross-examined by Mr YOUNG.—I first made a charge against the prisoner on the 31st, and obtained a warrant to apprehend her. There was a warrant obtained the day before; I believe it is in Glasgow. It was an application setting forth the death, as was suspected, from poison, and praying for an exhumation of the body, and for power to take possession of documents, &c., in the repositories of the deceased. I think there will be no difficulty in getting that warrant. [Shown copy.] I think this is an accurate copy. I am not sure that a precognition was taken in presence of the Sheriff before the 31st. It was reported to the Sheriff. I could scarcely say that there was any precognition taken in presence of the Sheriff before the 31st. I was from home; parties may have been examined in the office, but I am not sure that this was before the Sheriff. There was no written precognition on the 31st before the Sheriff, but witnesses were examined before Sheriff Smith on that day; their evidence was not written down; it was I think before and after the prisoner's declaration. Prisoner was committed for further examination on the 31st. A great deal of written precognition was taken in the case before the Sheriff. [Witness was requested to send for the original of the warrant before referred to.]

By the SOLICITOR-GENERAL.—The application for the warrant makes no mention of any criminal charge at all. A large proportion of the letters were copied in my office—many of them by Mr Young himself, to pre-

vent them, as much as possible, getting into improper hands. It is not usual for the Procurator-Fiscal to make copies himself; it was done in this case because the letters were of a delicate and unusual description. They were extremely difficult to decipher, and that made the transcribing of them a very slow and difficult process. They were in such a state originally, that they could not have been used to any extent by counsel in the case. If originals were sent to Edinburgh without copies they must have been very few. If the letters had been handed to the opposite party without copying, it must have taken a long time to render them available. Copies were communicated to one of the opposite agents in Edinburgh some days before the indictment was served. Having these copies in print must have saved a very great deal of time. I have been Procurator-Fiscal for eleven years, and have been connected with the office for thirty-six years; and I know no case in which greater facilities have been given to the prisoner. As to the non-selected letters, too, there was very much pressure from the Crown office to get copies; we found it beyond the strength of our establishment, and we were ordered to get them copied at the expense of the Crown as fast as possible. The copy was sent to the Crown office; and it was communicated to the opposite party before the indictment was served. Mr Forbes, one of the prisoner's agents, got several letters previously, for which he gave a receipt.

By Mr Young—Five persons in our own office copied the letters, and I think five clerks in the Sheriff-Clerk's office. They were not allowed to take them home, but I learned that one or two of them had taken them home in the evening to copy. I now speak of the letters not founded on. Those founded on were copied by our own clerks, and none of them were given to clerks in the Sheriff-Clerk's office. It was about three or four weeks after the letters founded on had been copied that we commenced to copy those unfounded on. It was in June that access was first given to the letters not founded on, to the prisoner's agents. From 30th March to June they were in the hands of the Crown authorities.

The Lord Justice-Clerk—I suppose there never was such full and ready communication as in this case.

By Mr Young—In April and May, application was made on the part of the prisoner for copies of the letters. They offered to make copies at their own expense, but they did not know what the letters contained till June.

The Lord Justice-Clerk—You very properly refused to allow them to get copies.

Peter Taylor Young, examined by the Solicitor-General—I am one of the Procurator-Fiscals of Glasgow. On Tuesday afternoon, 31st March, Mr Stevenson called and reported the death of M. L'Angelier as a sudden death. He said he was a stranger in Glasgow, and that it was thought right to let us know of the death. He said there had been a *post mortem* examination. Mr Hart was from home. Next morning Mr Kennedy called and said their object in ordering the *post mortem* examination was to ascertain the cause of death to communicate it to his friends; but he said there was a love affair in the matter, and that there were some letters in Messrs Huggins', and I said it would be material to get some of these letters which they possessed. Mr Stevenson brought six or seven of the letters, and we made him mark them with his initials, and afterwards laid them carefully aside. We then ordered an investigation by sending for his landlady, and making inquiries elsewhere. The result was that we made an application for exhumation. On the following Monday we learned that poison was found; and we ultimately got the letters from L'Angelier's repositories. There were about 300 envelopes and 500 letters. They were extremely difficult to decipher, and I took fully ten days to read them all. I made a selection of them, with the view of reporting the case to the Crown. The utmost care was taken to restore the letters to their own envelopes. The investigation was a very serious interruption to the ordinary business of our office.

Andrew Murray, jun., W.S.—I was employed by the Crown to look over some letters written by Madeleine Smith to make a correct copy of them. Each proof was read with the relative letter. Some of the letters were very difficult to decipher. It took four days for the original corrections of the proof, and an additional day for the revised proof. The print is an accurate print of the letters.

Alex. S. Hunter, clerk to Mr Murray, corroborated his evidence.

Rowland Hill Macdonald, comptroller of sorting-office, Post Office, Glasgow, examined by the Lord Advocate—I have had shown to me a variety of letters and envelopes, with the view of reporting on the postmarks. [Witness retired with an agent on each side to examine the postmarks.]

George Macall, Forth Street, examined by the Lord Advocate—I was acquainted with M. L'Angelier. I remember his coming to Edinburgh in March last. He dined with me on the Saturday week previous to his death. I remember L'Angelier writing a note to Mr Kennedy. I put a postcript to that letter. L'Angelier seemed very well. He said he had been unwell before. He spoke of going to Bridge of Allan. He said nothing about having been unwell previously.

Cross-examined by Mr Young—I saw L'Angelier for the last time on Monday, 16th March, in the afternoon. He said he had been dining with a Colonel Fraser at Portobello.

By the Lord Advocate—I saw him on the Thursday evening before that Saturday.

By the Lord Justice-Clerk—L'Angelier was a good-looking pleasant man. I never saw him in the company of ladies.

Robert Monteith, Glasgow, examined by the Lord Advocate—I am a packer in the employment of Huggins & Co. I knew L'Angelier. He has asked me to address a letter for him; that was in the beginning of 1856. The address he asked me to write was, "Miss C. Haggart, Rowaleyn, Row." I afterwards addressed about ten or a dozen letters for him to the same person. One of these was to "Miss C. Haggart, 7 Blythswood Square."

By the Lord Advocate—He said he did not want his handwriting to be known.

Robert Sinclair, examined by the Lord Advocate—I am a packer in Huggins & Co.'s employment, Glasgow. L'Angelier twice asked me to address letters to Miss C. Haggart, care of Mr James Smith, India Street, Glasgow. This was more than twelve months before his death.

By Mr Young—He said he did not wish his handwriting to be known.

Janet M'Dougall, keeper of the Post Office at Row, examined by the Lord Advocate—I remember in the course of 1855 and 1856 some letters coming to the Post Office addressed "Miss Smith," to be called for; there would be 7 or 8 in the course of the season. One of Mr Smith's servants at Ranelagh got these letters. I think the servant's name was Jane Lindsay. I did not know that there was any Miss Bruce at Rowaleyn.

Catherine M'Donald, lodginghouse-keeper, Bridge of Allan, examined by the LORD ADVOCATE—I remember Mr Smith and his family coming to me last spring; they came on 6th March; Madeleine Smith was with them; they stayed till the 17th, and then left for Glasgow.

Dr Robert Telfer Corbett, physician and surgeon, West Regent Street, Glasgow, examined by the LORD ADVOCATE—I was called in to assist at a *post mortem* examination of the body of L'Angelier after its exhumation. I concurred in the report. My opinion was that the deceased had died from the effects of irritant poison. The morbid appearances were of two different classes—the one showing the result of recent action, and the other of action at a period antecedent to that. The last of these appearances I refer to were several small ulcers, with elevated edges at the upper part of the duodenum. These might have been characteristic of the effects of an irritant poison at the distance of a month, but it is impossible to refer them to any precise period. They are such a result as an irritant poison administered a month before would have produced. They were probably of longer standing than immediately antecedent to death. The appearance of the intestines led me to believe there was poison; there was inflammatory action and ulceration; there was also a peculiar colour arising from inflammation. Jaundice is not a necessary symptom of arsenic, but it is an occasional symptom. Extreme I think would proceed from irritant poison; this symptom shows itself very early. It is not characteristic of ordinary British cholera in its earlier stages. A dose of arsenic exhibits its effects in half-an-hour to an hour; that is the earliest time; longer periods have been known, but are unusual; the period depends on the state of the stomach and the mode in which the arsenic has been administered. If the patient had been the subject of repeated doses, and had irritability of the stomach, it would produce its effect more speedily. I have read of cases where large doses were found in the stomach of persons who had been murdered. I can't say how much has been found on such occasions. I can refer to cases where the quantity is said to have been large.

Cross-examined by the DEAN—Twenty grains would be a large dose to be administered. I can't refer to any homicidal case in which so large a dose was given. When I speak of jaundice as a symptom of arsenic, I mean only with reference to the yellow colour. I have not met with any such case. I have seen it stated in Dr Taylor's work.

Witness—Dr Taylor refers to Dr Christison.

The DEAN—No, not Dr Christison, Marshall.

Witness—I can't condescend in any particular case.

The DEAN—It is reading you referred to; I'll give you any book you name, and I ask you to point out your authority.

Witness—I know the fact.

The DEAN—Not except from reading?

Witness—No.

The DEAN—Well, here is Dr Taylor's book, p. 62; if you find anything there I entreat you to give it to me.

Witness—I am not aware that it is mentioned in any other part of the article than the page to which you allude, but I would require to read it over.

The DEAN—But surely when you come here to swear as a man of skill that jaundice is a symptom of arsenical poisoning, you are prepared to give me a better answer than that. Do you know that there is a life depending on this inquiry? Pray, keep that in mind.

Witness—I know jaundice to be a secondary symptom of arsenical poisoning by my reading.

The DEAN—And is there any reading that you can condescend on except what I have pointed out to you?

Witness—Nothing.

Cross examination resumed—The ulcers might be produced by other causes than irritant poison. I have never met with them in any other case in such a part of the duodenum, but it is possible they might arise from some enteric fever; any cause of inflammation of the upper portion of the intestines might produce them. I have only once before made a *post mortem* examination in a case of arsenical poisoning. Dr John Crauford of Glasgow was engaged in that case with me, and Dr Penny was engaged in the analysis.

Re examined by the LORD ADVOCATE—From my reading and study I know that jaundice is an occasional secondary symptom of arsenical poisoning. If I found other symptoms of arsenic I should regard that as a symptom. If a person who had taken arsenic presented a yellow colour, that might or might not be a symptom of the poison. The presence of jaundice would not sway me very much one way or the other.

Dr Penny, examined by the LORD ADVOCATE—I have made some experiments as to the colouring matter of arsenic from these two shops. I administered Murdoch's arsenic (coloured with soot) to a dog, and I found no difficulty in detecting the soot in the stomach of that dog after death. I administered arsenic coloured by myself with indigo to another dog, and I had no difficulty in detecting the indigo in that case, by chemical tests. I administered to another dog a portion of the arsenic sold by Mr Currie, and I detected black particles in the stomach of that dog, but I could not undertake to identify the arsenic found with the arsenic given. I found carbonaceous particles, but I could not undertake to say that these carbonaceous particles are of themselves sufficient to identify any particular description of arsenic. I could detect no arsenic in the brains of these dogs. I found solid arsenic in the stomach as well as arsenic in the texture of the stomach. These are the results of my experiments.

By the DEAN—I made myself acquainted with the colouring matter in Currie's arsenic before administering it. The black particles found in the stomach after death bear a close resemblance in their physical appearance and their chemical properties to the constituents of the arsenic given. Their physical appearance and chemical properties were identical with those of the arsenic given.

Christina Haggart or M'Kenzie, examined by the SOLICITOR-GENERAL—In end of last March I was married to M'Kenzie. My maiden name was Christina Haggart. I was servant in the family of Mr Smith, Miss Smith's father. I was two years there. I left at last Whitsunday. The family consisted of Mr and Mrs Smith, and five children. Miss Smith was the eldest; and there were Miss Bessie Smith, about twenty-one years of age, and Miss Janet, about twelve or thirteen. The eldest son is John. I should think he is between sixteen and seventeen. He is in an office. The younger son is James. He is two years younger. Till the end of March he was at school in Edinburgh. Mr Smith has a house at Rowaleyn, near Row. They lived there during the summer. They went about May and came back about November. During the first winter I was with them they lived in India Street, Glasgow. That was the winter before last. Last winter they stayed at 7 Blythswood Square. While they lived in India Street Miss Smith pointed out a French gentleman to me. She did not speak of him by

his name; I came to know his name when I was examined at the County Buildings. The name was L'Angelier. Miss Smith when she pointed him out told me he was a friend of hers; he was in the street when she pointed him out, and we were in the drawing-room; he was passing. [Shown photograph.] That is a likeness of him. I have seen him in the house in India Street. I was asked once by Miss Smith to open the back gate to let him in, and I did so. This was during the day; I think they were all in church except the youngest sister; it was on a Sunday. Miss Smith went in with him to the laundry; the door was shut when they went in. I don't remember how long he remained—I think about half-an-hour. He came back to the house at night oftener than once; I don't think more than three or four times; he came about ten o'clock, before the family retired to their rooms. As far as I remember they were all at home. On these occasions he stood at the back gate. He did not, to my knowledge, come into the house. I don't know if he came in. I opened the back gate to him by Miss Smith's directions. She asked me to open the door for her friend. On some occasions when I went to open the gate he was there and on others he was not. I did not see Miss Smith go out to him. I left open the back door of the house leading to the gate. There was no person in the laundry at the time; the back door was a good piece away from the laundry. Miss Smith and this gentleman might have gone into the laundry without me seeing them. During the season we lived in India Street, I pointed this gentleman out to Duncan M'Kenzie, my present husband. I said he was a friend of Miss Smith's. I have spoken to that gentleman during the season we were in India Street. He made me a present of a dress. He did not say what he gave it for. When the family were at Rowaleyn, I don't recollect seeing him there, or in the neighbourhood. Letters came to me intended for Miss Smith while we lived in India Street. Miss Smith said they would be so addressed. She said they were from her friend. I thought she meant L'Angelier. I can't say how many letters came so addressed. A good many came to India Street, and I gave them all to Miss Smith. Letters also came to Rowaleyn addressed to me for Miss Smith; but there were very few. I called for letters addressed to Miss Bruce at the Post Office, Row; Miss Smith asked me to call for them, and I got them and gave them to Miss Smith. She has given me letters to post for her, addressed to L'Angelier. I posted letters for her with that address, in India Street, in Blythswood Square, and during the two summers I was at Rowaleyn. I have delivered a letter with that address in Franklin Place; I only delivered one letter so addressed; I left it at the house. In the Blythswood Square house there was a back door leading to an area and into a lane. She asked me once to open it for her. I don't know when that was; it was a good long time before Miss Smith was apprehended. I don't recollect whether it was two months before; it might be about two months. It was at night, I think past ten, that she asked me to open the door. I was in her room when she asked me to do this. Her room was down stairs, on the same floor as the kitchen. I slept in a back room next to the back door. The cook, Charlotte M'Lean, slept with me. At the time I speak of, Charlotte M'Lean was in the kitchen. I opened the back gate into the lane. I saw no person there. I left it open and returned to the house. I left the back door of the house open, and went into the kitchen. She met me in the passage; she was going towards the back door. I heard footsteps coming through the gate. I went into the kitchen. I did not hear where Miss Smith went to. I did not hear the door of my room shut. I don't remember how long I remained in the kitchen; I think it would be more than half-an hour. Charlotte M'Lean was in the kitchen with me during that time. I think I remained longer than usual in the kitchen that night. Miss Smith had told me to stay in the kitchen. She asked if I would open the back door and stay in the kitchen a little, because she was to see her friend. She did not say where she was to see the friend. While I stayed in the kitchen I did not know where Miss Smith was. I did not know that she was in my bedroom. I had no doubt that she was there, but I did not know it. When we heard Miss Smith go to her room I left the kitchen. We heard the door of Miss Smith's bedroom shut; I did not hear the door of our room open. I did not hear the back door of our house shut. I am not certain, but I think I found it shut when I went to my bedroom. My bedroom is next to the back door. There is a low door in the front area. The key was left sometimes in the kitchen, and sometimes in the boys' room. I heard that Miss Smith was to be married shortly before her apprehension. Miss Smith told me of it. I don't remember the time; it was a good while before her apprehension. In consequence of that, I asked Miss Smith what she was to do with her other friend, and she told me then or some time after that she had given him up. I asked if she had got back her letters. She said "No," that she did not care.. I recollect refusing to receive letters for her in India Street; that was after I had received some; in Blythswood Square, also, I refused to receive letters for her; I don't remember her saying anything. She said she would receive letters in at the window; that was before I had refused to receive letters for her. I have seen L'Angelier in Main Street, close to the house, at night. He was walking slowly. That was in the beginning of the winter. At night, when we were in bed, Miss Smith could have passed from her bedroom to the kitchen, or upstairs, without being overheard by me. The stair leading up to the dining-room floor is very near her bedroom door. I never saw any rats in the house in Blythswood Square. We were not troubled with rats. I remember Sunday, 22d March. I was not well that day, and kept my bed in consequence. I got up between five and six o'clock in the afternoon. I saw my present husband that evening. He came between seven and eight o'clock. There was family worship that evening at nine o'clock. I was present. Miss Smith was present, and the rest of the family. Mackenzie remained in the house when I went up to family worship, and he was there when I came down. I left Miss Smith in the dining-room when I came down, and I did not see her that evening. I went to bed at ten o'clock. The cook slept with me as usual that night. Mackenzie left near ten, or thereabouts. I was not aware of anything taking place in the house during the night. I did not hear anything, and was not aware of any stranger being in. I remember Miss Smith leaving home suddenly on the Thursday after that Sunday. One evening that week Miss Smith was out at an evening party. I could not say if she was at home at the usual time on the Wednesday evening. The key of the back door was kept in my bedroom. On Thursday morning it was discovered that Miss Smith was not at home. There was a key to the back gate. I had charge of that gate; it is a wooden gate in the wall; it is more than six feet high; it may be twelve feet high. The key at the back door of the

house always stood in the door; in the inside. The back gate was sometimes locked, but generally unlocked. A person could open the back door by the key in the door, and open the gate in the wall by unbolting it. The key of the low front door was always left in the lock; I had no charge of the key of the high front door, but I think it stood in the lock. I had charge of cleaning out Miss Smith's bedroom. During February or March I never observed that the water in her basin was coloured peculiarly black or peculiarly blue. I saw nothing unusual of that sort.

Cross-examined by the DEAN—It was in India Street I first became aware of the correspondence with Miss Smith and this gentleman. I think it was soon after she had pointed him out to me. When the family left India Street they went to Rowaleyn; that would be in April or May 1856. I became aware of this correspondence weeks before the family went to Row; but I can't say the precise time. After I had received some letters for Miss Smith, I declined to take more; the reason was that her mother had found fault with me for taking them, and had forbidden me to take them. The family came back from Row in November. It was a good while after that this gentleman came into the house; it would be some months. I remember the family going to the Bridge of Allan; his visit would be a good long time before that. I don't remember when Mrs Smith mentioned her daughter's intended marriage to me. It was before they went to the Bridge of Allan. When Charlotte M'Lean and I were in the kitchen the night L'Angelier was in the house, the interview between Miss Smith and he might take place in the lobby. Her youngest sister slept with Miss Smith; she was in bed by that time. My present husband was frequently in the house at that time—several times in the course of a week. I remember the circumstance of the night of the 22d March. When Mackenzie went away I saw him to the back door and the outer gate. I snibbed the gate, and I have no reason to suppose I did not lock the inner back door as usual. I left Miss Smith in the dining-room with the rest of the family after prayers. I did not see her again that night. She gave me no reason to suppose she had any meeting that night. I don't know that Miss Smith and her youngest sister went to bed that night at the same time. The back door makes a noise in opening. The lock makes a considerable noise. It is close to my bedroom. I don't know a lady named Miss Perry. She might have been a visitor at Mr Smith's house. The boy opened the door. The window of my room looks into the back area. It has iron stanchions like all the other low windows of the house.

By the LORD JUSTICE-CLERK—When the family went to the Bridge of Allan, the servants were all at home. On the morning of the Thursday when it was found Miss Smith had left the house, I don't know if it was found she had taken any of her clothes with her. I saw her on her return; a small carpet bag, containing things of hers, was brought back with her. The bag was not very small. It was in India Street. I was desired by Mrs Smith not to receive letters; but I did receive some afterwards.

The LORD JUSTICE-CLERK—I suppose, in reality, as Mackenzie was coming to visit you, you were anxious to oblige the young lady.

Charlotte M'Lean examined by the SOLICITOR-GENERAL—I was cook in Mr Smith's family. I was there for six months, up till last Whitsunday. I have left now. I never saw any gentleman visit Miss Smith without the knowledge of her family. I was not aware any one did so. She never gave me letters to L'Angelier, and I never knew of her receiving such letters. I never saw any letters come to Mr Smith's house addressed to Miss Bruce at Row. I remember one night last spring remaining in the kitchen for some time with Christina Haggart. The reason she gave me for it was that some person was speaking to Miss Smith. I can't say I heard Miss Smith in the passage while I was in the kitchen. I afterwards heard her go into her bedroom, and then Christina Haggart and I went to our room. I remember Sunday, 22d March. I remember Christina being unwell and keeping her bed. I was upstairs at family worship, and left Miss Smith in the dining-room. I did not see Miss Smith that night. I heard nothing in the course of that night, and I did not hear of any person being in the house.

Cross-examined by the DEAN—I went to bed nearer eleven than ten o'clock that night.

Duncan Mackenzie examined by the SOLICITOR-GENERAL—I was married to Christina Haggart a short time ago. I was visiting her on Sunday, the 22d March. I left her about ten o'clock, by the back door and back gate. I did not hear if the gate was secured after I left. I used to visit Christina when the family lived in India Street. Christina pointed out a gentleman to me at the back door of the house. She did not tell me his name. I never saw him again.

Cross-examined by the DEAN—I saw him at the back door of the house. I was coming up to the house, and saw him standing. He asked me if I was going into the house, and I said I was. He asked me if I knew Christina, and he asked me if I would ask her to come out and speak to him. I did so, and she went out to speak to him. I was present when they met, but I did not hear what was said. I saw them talking together. I was not jealous about them. Christina was afraid I might be. I had a letter signed "M. Smith," saying it was her friend that I had seen, and therefore she hoped nothing would arise between Christina and me. I never saw this gentleman again. I was frequently about that house and the house in Blythswood Square after that.

James Galloway, examined by the LORD ADVOCATE—I live at 192 St George's Road, Glasgow, I knew M. L'Angelier by sight; he lived next door to a relation of mine, and I saw him several times. I remember Sunday, the 22d March. I saw L'Angelier that night about nine o'clock. He was in Sauchiehall Street. He was going east; he was going in the direction of Blythswood Square. He was about four or five minutes' walk from Blythswood Square.

Cross-examined by the DEAN—He was walking rather slowly.

Mary Tweedie, examined by the LORD ADVOCATE—I was servant to Mrs Parr, who keeps a lodging-house in Terrace Street, St Vincent Street, Glasgow. I knew M. L'Angelier. He was sometimes in the habit of coming to Mrs Parr's house to see a Mr M'Alester, who lodged there. I remember Sunday the 22d March; I saw M. L'Angelier that night at twenty minutes past nine o'clock. He called at the door and asked for Mr M'Alester, but Mr M'Alester was not at home. He wore a light top-coat and a Balmoral bonnet. [Shown coat and bonnet.] These are like the coat and bonnet he wore. When he found Mr M'Alester was not at home, he halted a moment at the stair-head and then went away. I went with an officer from Mrs Parr's to Blythswood Square, and it took us five minutes to go there.

Cross-examined by the DEAN—Terrace Street is south and east from Blythswood Square. M. L'Angelier did not seem much disappointed that M'Alester was not at home. He did not halt at the stair-head he seemed

as if he would have liked to come in. I did not ask him to come in.

Thomas Kavan, examined by the LORD ADVOCATE—I am a night constable in Glasgow. My beat in March last included the north and east sides of Blythswood Square. It included Mr Smith's house. Shown photograph—I have seen this face more than once; I saw him about two months previous to hearing of his death; I did not know his name; but I heard of the death of M. L'Angelier. I saw him in Main Street, as well as I can recollect about 11 o'clock, or between ten and eleven. He was standing near a lamp-post at the back lane. When I came along the point of the Square, I turned along Main Street, and he said—"Cold night policeman, do you smoke." I said, "Yes Sir," and he put his hand in his breast pocket, and gave me two cigars, and passed on. He was then not more than the breadth of this Court from the wall of Mr Smith's house. I saw him again, ten or twelve days after the first time. He was passing along at the garden side by the railings on the north side of Blythswood Square, going east towards Regent Street. He was passing opposite 5 and 6 Blythswood Square; he was on the side of the Gardens. 5 and 6 Blythswood Square are west of No. 7, and he was going east. I saw him again about a fortnight, or between a fortnight and three weeks, previous to the time I was first examined before the Fiscal. He was then at the corner of Regent Street and Main Street, coming towards Blythswood Square. It was early in the night; but I can't positively say when. I should say between nine and ten o'clock. I never saw him again.

Cross-examined by the DEAN.—I was on my beat on Sunday evening the 22d March. I did not see him that night. I am quite sure of that.

William Young, examined by the LORD ADVOCATE—I am a photographer at Helensburgh. [Shown photograph.] I made this photograph of Miss Madeleine Smith; it was done in September 1856, at her desire.

R. H. Macdonald was here recalled, and identified minute of his examination of the postmarks on the various letters.

Jane Scott Perry or Towers examined by the LORD ADVOCATE—I am a sister of Miss Perry who lives in Glasgow. I knew she was acquainted with M. L'Angelier. In March last I and my husband were living at Portobello. I remember L'Angelier coming to pay us a visit; he dined with us. Almost the whole time he talked about his health; he said he had been given cocoa and coffee, but that they disagreed with him, and he had been very ill. He spoke of more than two occasions on which he had been ill. He remarked that he thought he had been poisoned. It was after speaking of the cocoa and coffee. Nothing was said about who had poisoned him, and no question was asked. My husband was present.

Cross-examined by the DEAN—One of my daughters, Jemima, might also be in the room. I think Miss Murray had gone away before that was said.

By the LORD ADVOCATE—He dined with us on Monday, 16th March.

By the DEAN—Many circumstances make me sure of the day. It was after asking what was the matter with him that he talked of being poisoned.

James Towers examined by the LORD ADVOCATE—I was living at Brighton Place, Portobello, last March. I knew L'Angelier slightly. I met him once or twice at my sister-in law's, in Glasgow. I recollect him dining with me one day last March at Portobello. The conversation turned on his health. He said he had had a very violent bilious attack, or jaundice. He did not describe how it affected him. He said he had had two attacks after taking coffee or cocoa, and that he had other two attacks, and that he fell down in his bedroom and was unable to go to bed; that on another attack, he was unable to creep to the door and call on his landlady. He said he thought he had been poisoned, after taking the cocoa and coffee. I remarked who should poison him, or what object any one could have in poisoning him? I don't recollect if he said anything in reply. He told us he was going back to Glasgow, and thence to the Bridge of Allan. He looked quite well. From what he said, I understood he had taken the coffee on one occasion and the cocoa on another, and that on both occasions he had been ill.

Cross-examined by the DEAN—The day he dined with me was the Monday before his death—the 16th. He appeared in good spirits, and ate heartily. He was of a talkative turn. He spoke of his complaints; and when we asked about Glasgow society he spoke of that; but he spoke a great deal of his own sickness. He was very fond of talking about himself. I thought he was a vain person. There was much vapouring or rash talking on that occasion. I can't say he was a person who spoke much without thinking.

By the LORD ADVOCATE—He did not say from whom he got the cocoa or coffee.

Cross-examined by the DEAN—He said coffee agreed with him, and that he was in the habit of taking it; and that he was not surprised at cocoa not agreeing with him, as he was not accustomed to it.

Mary Arthur Perry, examined by the LORD ADVOCATE—I live at 144 Renfrew Street, Glasgow, and was acquainted with the late M. L'Angelier. I became acquainted with him about the year 1853. We both attended the same chapel—St Jude's. About the spring of 1855, I came to know him intimately; the intimacy went on gradually. He was in great distress; in the early part of the summer of that year he told me he was engaged to Miss Madeleine Smith; and I was aware from him, from that time forward, of the progress of his attachment and correspondence. In August 1855, I was introduced to Miss Smith; he brought her to call on me. After that I received several letters from her. [Shown No. 11.] I received this letter from Miss Smith. It has no date. I think I received it about the end of September or beginning of October 1855. [Shown Nos. 19 and 20 (one letter).] I also received this letter from her in the spring of 1856. [Shown No. 27.] I received this letter also from her in the spring of 1856. It is signed "Mimi." That was a pet name by which L'Angelier called her. [Shown No. 29.] I got this during the spring of 1856. No. 45 I received in June or July 1856. No. 83 I received from her early in January 1857. No. 141 is a letter from L'Angelier to me. It is dated Bridge of Allan, 20th March. The last paragraph is—"I should have come to see some one last night, but the letter came too late, so we are both disappointed." I understood that that paragraph referred to Miss Smith. L'Angelier was frequently at my house, and dined with me occasionally. Down to the beginning of February 1857 he had generally good health, but during February he seemed not so well as formerly. In the beginning of February, he said he had heard a report of another gentleman paying attentions to Miss Smith. He said Miss Smith had written him on the subject. One time she had denied it, and another time she had evaded the question. This would be some time during February. He dined with me on the 17th February. He told me that day when he next expected to see her; that was to be on Thursday. The 17th was a Tuesday. He was to see her on the Thursday. I did not see him

again till the 2d of March. He was looking extremely ill then. When he came in he said, "Well, I never expected to have seen you again, I was so ill." He said he had fallen on the floor, and been unable to ring the bell. He did not say what day that was, but from circumstances I knew it was the 19th February. He did not tell me he had seen Miss Smith on the 19th. He told me of having had a cup of chocolate which had made him ill. He told me of that on the 9th March. He took tea with me on the 9th March. On the 2d he said he could not attribute his illness to any cause. On the 9th he said, "I can't think why I was so unwell after getting that coffee or chocolate from her." I understood he referred to two different occasions; "her" meant Miss Smith. He was talking about her at the time. He did not say that the severe illness which came on after the coffee or chocolate was the illness he had referred to on the 2d March; but I understood so. On the 9th March he was talking of his extreme attachment to Miss Smith; he spoke of it as a fascination. He said, "It's a perfect fascination my attachment to that girl; if she were to poison me I would forgive her." I said, "You ought not to allow such thoughts to pass through your mind; what motive could she have for giving you anything to hurt you?" He said, "I don't know that; perhaps she might not be sorry to be rid of me." All this was said in earnest, but I interpreted the expression, "to be rid of me," to mean rid of her engagement. From what he said, there seemed to be some suspicion in his mind as to what Miss Smith had given him, but it was not a serious suspicion. I never saw him again alive. On the 9th he spoke of her intended marriage. He said he had heard she was to be married, but he said he had offered to her some months before to discontinue the engagement, but she would not then have it broken. Some time afterwards she wished him to return her letters, and she would return his. He refused to do this, but offered to return the letters to her father. That is what he told me. On the 23d March I received a message—"M. L'Angelier's compliments; he was very ill at Franklin Place, and he would be very glad if I would call." That was about ten in the morning. I went about mid-day, and found he was dead. I called on Mrs Smith, and intimated his death to her. I saw Miss Smith; I did not mention it to her. She recognised me and shook hands; asked me to go into the drawing-room, and if I wished to see her mamma. She also asked if anything was wrong. I said I wanted to see her mamma, and that I would acquaint her with the object of my visit. I did not know Mrs Smith before. I know Mr Philpot. He met M. L'Angelier on the 17th February at my house. He met him on another occasion about the same time. I had a warm affection for M. L'Angelier, and corresponded with him frequently. I thought him a strictly moral and religious man. He was a regular attendant at church. I was very much agitated by the sudden shock of hearing of his death. I saw the body, and was very much shocked.

Cross-examined by the DEAN—I live in Renfrew Street. I was not at all acquainted with Mr Smith's family. When L'Angelier brought Miss Smith to see me, I knew the correspondence was clandestine; he told me that when the first engagement was formed he wished to tell her father, but she objected; he then asked her to tell her father herself, but she objected to that also, and he was very much distressed. I knew that he was not acquainted with her father or mother, he knew her sister. In August 1855, when she was introduced to me, I knew the engagement had existed for a few weeks, but I don't know how long they had been intimate with each other. L'Angelier told me he was introduced to Miss Smith at a lady's house—at Mrs Baird's. He said he had met her there. I was aware that their intimacy was disapproved of by the family, and that the engagement was broken off at one time. In one of the notes she wrote me, she says her mother had become aware of it. I never knew that her father or mother had abated their dislike of the intimacy. I wrote on one occasion to Miss Smith advising her to mention it to her parents, I advised L'Angelier not to renew the engagement after it was broken till her parents were aware of it. He said he intended to do so, that he renewed the engagement provisionally, Miss Smith having promised on the first opportunity to make her parents aware of it. I knew that they met clandestinely. I corresponded with both at the time. [Shown No. 11 of third inventory for the prisoner.] This is a letter which I wrote L'Angelier, postmark February 7, 1857; it is as follows:—

"Though you have not told me so, dear L'Angelier, that you have received such kind cheering notes from Mimi, that you are comfortable and happy—at least a great deal less sad than you were last evening, I felt so sorry for you when you were so ill and miserable, and you are solitary in Glasgow, and yet I could do nothing to help to cheer you, my kind friend. To-day I saw Mimi, with her mother and Bessie—at least I think it was her mother; Mimi looked very well, and I believe she saw me. Are you suffering also from your neck? Best wishes for your happiness and Mimi's."

Shown No. 39, and read it as follows:—

"DEAR L'ANGELIER,—Pray don't think of taking the trouble of calling at my aunt's. I feel uncertain of the reception that you might receive. I ought to have spoken of this yesterday, but had such a bad headache that I was quite stupid. I enclose a note for Mimi. Among my forgets yesterday, I omitted to ask whether I should take notice of her birthday; but I am very fond of all these days, and you are so also; and therefore I wish her many happy returns. You are, however, quite at liberty to put it in the fire if you are inclined to incendiarism. I shall think of you both on the 19th, for I wish you very good news and a happy evening. I wish you many happy returns of her birthday.

The reception I there refer to has no reference to Miss Smith; it refers to a relative of mine who did not much fancy him. [Shown No. 15 and reads.]

"MY DEAR L'ANGELIER—As I must be out on Monday forenoon, and may be engaged in the evening with a friend from Edinburgh, who has come to town for a few days, will you defer your visit till Tuesday? I had wished to send a message to Mimi last time I saw you, but I had no time for a word. You are, I hope, now enjoying a happy interview. I am longing to hear from you. Meanwhile believe me, &c."

The interview refers to Miss Smith. That I knew was a clandestine interview. L'Angelier was in the habit of writing to me. Our correspondence went on for perhaps two years. Very often my note did not require

an answer. It might be asking him to come to tea or call; latterly we addressed each other by our Christian names. I addressed him by his surname, and he addressed me "Dear Mary," or "My dear Mary;" never "Dearest Mary." I was first introduced to him by a lady now resident in England—Miss Philpot. I knew his mother lived in Jersey; I never inquired what her occupation was. He had two sisters, and he had a brother who died some time before. I don't know that I ever inquired what his occupation was. I don't think I was in the habit of meeting him in other houses in Glasgow than my own. I have said that circumstances enabled me to fix an illness of L'Angelier's on the 19th February. I remember that he said he did not go to the office on a certain day after that, but that he went on the Saturday; that fixed it for a Thursday, and I knew it was not the last Thursday of February. I did not recollect this when I was first examined, but it was suggested to me by the Fiscal's amanuensis. I recollect it now, but not from that. The amanuensis said the 19th was the date of his first illness in his pocketbook. That was on the 4th June (referring to notes.) I made these notes afterwards. Till he told me I did not recollect the 19th as the day, but I recalled it some days afterwards. The dates of my precognitions are 6th, 7th, and 23d April, 4th, 5th, and 23d June. When I saw L'Angelier on the 2d March, he described the nature of his illness; he said he was so ill that he fell on the floor, and was unable to call for assistance till next morning; that it was unlike anything he had ever felt before; that he was conscious, but unable to move. He spoke of his second illness as a bilious attack or jaundice. It was prior to 9th March that he told me of the discontinuance of the engagement; it might have been in the latter part of January or some part of February. He told me then that some months before, imagining Miss Smith rather cool, he offered to break off the engagement, but he was not anxious to do so; he said this was some months previously. She would not accept this. He said that afterwards she proposed a return of the letters on both sides. That might be about February. He said he refused to do that, but that he offered to give the letters to her father. I did not understand the meaning to be that he threatened to show the letters to her father. I understood that to be a consent on his part to give up the engagement, and he so represented it. Miss Smith would not accede to that proposal, and the engagement remained unbroken at Miss Smith's desire. That was on the last occasion that he referred to it.

By the LORD ADVOCATE—[Shown No. 20.] This was written in March 1856.

By the LORD JUSTICE-CLERK—The Sheriff was not present when the clerk of the Procurator-Fiscal suggested this to me.

The LORD JUSTICE-CLERK—It turns out, then, that you were examined by the prosecutor privately, with no Sheriff present to restrain improper interference; and your recollection is corrected by the prosecutor's clerk—a pretty security for testimony brought out in this sort of way.

Mr Cunningham, for whose attendance a warrant had been issued, was here brought up.

The LORD JUSTICE-CLERK—The Court desire to know whether you have had a copy of the print of the letters?

Mr Cunningham—I have had no copy of the letters.

The LORD JUSTICE-CLERK—Then we have to ask if your object is to publish to-morrow letters whether they are used at this trial or not?

Mr Cunningham—Certainly not; only the letters produced.

The LORD JUSTICE-CLERK—You have had no copy of them.

Mr Cunningham—I have no copy, and have had no copy.

The LORD JUSTICE CLERK—And you are not preparing or intending to publish any except what may be read in Court?

Mr Cunningham—Certainly not.

The LORD JUSTICE-CLERK remarked that the circular was very incautiously worded, and dismissed Mr Cunningham.

The LORD ADVOCATE then proposed to read the letters.

Mr YOUNG submitted that it would be unfair and unsafe to admit the letters, in consequence of the manner in which they had been recovered, and the mode in which they had been kept. They were recovered and kept by the Procurator-Fiscal instead of by the Sheriff-Clerk.

The SOLICITOR-GENERAL held that the practice was different from that stated by Mr Young, and that in this case the Procurator-Fiscal had held the documents under the orders of the Lord Advocate.

After hearing the Lord Advocate and the Dean of Faculty,

The COURT decided that the objection to receiving and reading the letters was not well founded. The LORD JUSTICE-CLERK, in the course of his observations, remarked that when, on the application of the Procurator-Fiscal, a warrant was entrusted by the Sheriff to officers for execution, a report of the execution of the warrant should be made to the Sheriff. He should have thought that in this case the Sheriff would have asked for the return to the warrant granted, and for an inventory of the documents. He was surprised that this had not been done, and if it was not done because it was never done, then he would say that the sooner such a loose practice was corrected the better, and the execution of the warrant for recovery returned to the Judge from whom it issued. His Lordship also remarked that the Lord Advocate had in this case acted with a degree of anxiety for the interests of the defender which he had never known before, for he had given copies of all the letters before the indictment was served, and in a form which saved all difficulty and loss of time in deciphering them on the part of the prisoner's agents.

The Court then adjourned till next morning, when the reading of the letters will be proceeded with.

FIFTH DAY.—Saturday, July 4, 1857.

The Court met again to-day at ten o'clock.

Miss Smith continued to exhibit that wonderful calmness and self-possession which has characterised her demeanour from the commencement of the trial. Each day she has watched narrowly the questions put to every witness; she has never left the dock, even when the judges and the jury retired for refreshment, and she has constantly refused to partake of anything during the day. While some of the letters were being read to-day, she leaned forward in the dock, and covered her face with her hands.

Dr Christison, examined by the LORD ADVOCATE—It would be very unsafe to use arsenic as a cosmetic by putting it in a basin of water and washing the face with it. I should expect inflammation of the eyes and nostrils and the mouth to follow from its use. It would be difficult to keep it out of the eyes and nostrils, and once in, it being rather an insoluble solid, it would be very difficult to wash it out. I never heard of its being so used. A preparation of arsenic is sometimes used; the old name for it—Rusma Turcorum—signifies that it was first used by the Turks; it essentially consists of sulphuret of arsenic and sulphuret of lime; but it is only used for removing hair, not for the complexion.

The LORD ADVOCATE—In reference to the statistics of murder and suicide, you were asked the other day whether or not, in the case of a person committing suicide, a greater amount of the destructive element is used than is necessary to accomplish their object?

The DEAN objected to this question, and it was not pressed.

Cross-examined by the DEAN—The common arsenic of the shops may be said to be an insoluble solid. It is not absolutely insoluble. If put in cold water without repeated agitation, the water will dissolve 1-500th part; but if the water is boiled in the first instance, it will retain, when cold, a 32d part. About 1-500th part is all that cold water dissolves, if it is put in cold water originally. It is the worst medium to hold arsenic in suspension. The finer part will remain some time in suspension, and the coarser part will fall rapidly down. Not much would remain in solution without agitation of the water.

The DEAN—Supposing the water were used to wash the face or hands without stirring up the arsenic from the bottom?

Witness—Little would be in suspension; but I can only say that I should not like to use it myself.

The DEAN—That is quite a different affair.

Witness—I think any person who would use it so would do a very imprudent thing.

By the LORD ADVOCATE—Arsenic is specifically heavier than water; the fine part of the powder will remain in suspension, but not long.

By the DEAN—I can't tell how long it would remain in suspension. Speaking on mere hazard, I should say that in the course of three or four minutes scarcely any of the arsenic would be remaining in suspension. But I am speaking without experiments.

By the LORD JUSTICE-CLERK—There has been a great dispute as to whether arsenic has taste, and after the strong observations which are published on the subject, a much greater authority than myself—Professor Orfila—still adhered to the opinion that it is acrid. All I can say on the subject is, that experiments were made by myself and two others as far as it was possible to make experiments with so dangerous a substance, and we found that the taste was very slight indeed—if anything, sweetish, but all but imperceptible; and no doubt large quantities have been swallowed repeatedly without any taste having been observed. I, and two other scientific men, tried it repeatedly with great care, and all agreed in that opinion. Orfila of Paris still maintains that it has an acrid taste. He alludes to my observations, and maintains that it has a taste. But I think I should add it has always struck me as very strange that neither Orfila, nor any others who doubted those observations of mine, have actually made the experiments themselves. Orfila does not state that he has done so; he merely states his belief notwithstanding what I have stated. Of those who have swallowed arsenic, some have observed no taste some a sweetish taste, some an acrid taste. If there is anything perceptible in the taste it is not such that it could be detected in cocoa or coffee. I think it very desirable that my observations on this subject should be thoroughly understood. It has been found that some persons who have taken arsenic largely, without knowing at the time what they were taking, observed no taste, some a sweetish taste, others an acrid taste. But in regard to the acrimony there are two fallacies:—1st, That they describe as an acrid taste a mere roughness, which is not properly taste at all; and 2dly, the burning effects slowly developed by the action of the poison afterwards.

By the DEAN—In this case last spoken of, the arsenic was given sometimes with simple fluids, such as coffee and water, and sometimes in thicker substances, such as soup; and I think there is an instance where the roughness was observed in the case of porridge. But I do not think the vehicle, as far as I remember, had any influence on the effect produced.

The DEAN—Can you tell me what the quantities were in this case?

Witness—Oh, no.

The DEAN—You have no idea dim?

Witness—Not the slightest.

The DEAN—Are these cases in which you were personally concerned?

Witness—I presume you mean very much as I am now in this case; but strange to say I have only actually seen two living cases of persons who had taken arsenic.

The DEAN—You don't think that in any of these cases you saw the patients in life.

Witness—In two cases only I did.

The DEAN—Two of those which you last mentioned?

Witness—No. I refer to cases of murder, because in cases of suicide persons know very well what they are taking.

The DEAN—But you referred to some observations in corroboration of your general view. I want a

know if these cases came under your personal observation, or are merely recorded?

Witness—Not one came under my personal observation.

The DEAN—I see the opinion of Orfila is expressed in these words—"The taste is acrid, not corrosive, but somewhat styptic."

Witness—I think that is pretty nearly a correct translation, but I doubt the translation of the word "acrid." The French word for acrid is "*acre*." Orfila's expression is "*apre*," which rather means "rough."

The DEAN—In the first volume, at page 377, the term used is "*apre*."

Witness—I think that is mistranslated "acrid."

The DEAN—In the same volume, page 357, his statement is "*acre*."

Witness—That I have not observed, but his observation, which I quote, is expressly in reference to the statement which I myself made, and he says that, notwithstanding the statements of Dr Christison, the taste of arsenic is "*apre*"—I don't recollect the rest of the sentence.

The DEAN—Orfila is a very high authority in the chemical world?

Witness—Undoubtedly.

The DEAN—None higher, I suppose?

Witness—In medico-legal chemistry none.

The DEAN—You mentioned some experiments which you had personally made for the purpose of solving this question, and in combination with two other scientific gentlemen. Would you tell me the nature of these experiments? Did you taste the arsenic yourself?

Witness—We all tasted it both in the solid and liquid state, and we held it as far back along the tongue as we could do with safety so as to enable us to spit it out afterwards. We allowed it to remain a couple of minutes and then spat it out, and washed the mouth carefully.

The DEAN—Give me some idea of how much arsenic would be in the mouth?

Witness—I think about one or two grains.

The DEAN—Not more?

Witness—My late predecessor, Dr Duncan, took three grains, and kept it for a long time. I thought he was imprudent; but he agreed entirely with my statement.

By the LORD ADVOCATE—It had not an acrid taste, undoubtedly. In a very large majority of the cases I have referred to, the quantity taken was not ascertained even within a presumption.

By the LORD JUSTICE-CLERK—Orfila surrendered his opinion that there was arsenic naturally in the bones of the human body; he was not aware, at the time of his earlier statement, of one of the materials used in his analysis being subject to adulteration.

By the DEAN—It is quite new to me that it was thought at one time that there was arsenic in the human stomach naturally.

The LORD ADVOCATE then proposed that the letters should be read—which was done by the Clerk.

The first letter read was one marked No. 1, the postmark of which on the envelope was "30th April 1855," and which bore to have been posted at Helensburgh:—

MY DEAR EMILE,—I do not feel as if I were writing you for the first time. Though our intercouse has been very short, yet we have become as familiar friends. May we long continue so; and ere long may you be a friend of papa's is my most earnest desire. We feel it rather dull here after the excitement of a town's life. But then we have much more time to devote to study and improvement. I often wish you were near us; we could take such charming walks. One enjoys walking with a pleasant companion, and where could we find one equal to yourself? I am trying to break myself off all my very bad habits. It is you I have to thank for this, which I do sincerely from my heart. Your flower is fading.

"I never cast a flower away,
The gift of one who cared for me,
A little flower, a faded flower,
But it was done reluctantly."

I wish I understood botany, for your sake, as I might send you some specimens of moss. But, alas! I know nothing of that study. We shall be in town next week. We are going to the ball on the 20th of this month, so we will be several times in Glasgow before that. Papa and mamma are not going to town next Sunday, so of course you do not come to Row. We shall not expect you. Bessie desires me to remember her to you.

The next was No. 5, of which this is the commencement:—

MY DEAR EMILE,—I think you will agree with me in what I intend proposing—viz., that for the present the correspondence had better stop. I know your good feeling will not take this unkind; it is meant quite the reverse By continuing to correspond, harm may arise; in discontinuing it nothing can be said.

The letter marked No. 7 was objected to by the DEAN of FACULTY as being only the fragment of a letter apparently from the deceased to the prisoner, and found in the deceased's lodgings After argument, the judges retired, and on returning rejected the letter, as being only of the nature of a memorandum, which might never have been used.

No. 11 was read as follows:—

DEAREST MISS PERRY,—Many kind thanks for all your kindness to me. Emile will tell you I have bid him adieu. Papa would not give his consent, so I am in duty bound to obey him. Comfort dear Emile; it is a heavy blow to us both. I had hoped some day to be happy with him, but, alas, it was not intended; we were doomed to be disappointed. You have been a kind friend to him; oh, continue so. I hope and trust he will prosper in the step he is about to take, and am glad he is now leaving this country, for it would have caused me great pain to have met him. Think not my conduct unkind; I have a kind father to please. Farewell, dear Miss Perry, and, with much love, believe me, yours sinserely, MIMI.

No. 13, addressed to M. L'Angelier at Jersey; postmark, "September 4, '55":—

Monday, 3d.

MY DEAREST EMILE—How I long to see

you. It looks an age since I bade you adieu. Will you be able to come down the Sunday after next. You will be in town by the 14th. I do not intend to say anything till I have seen you. I shall be guided by you entirely, and who could be a better guide to me than my intended husband? I hope you have given up all idea of going to Lima. I will never be allowed to go to Lima with you; so I fancy you shall want to get quit of your Mimi. You can get plenty of appointments in Europe—any place in Europe. For my sake, do not go. . . . It will break my heart if you go away. You know not how I love you, Emile. I live for you alone; I adore you. I never could love another as I do you. Oh! dearest Emile, would I might clasp you now to my heart. Adieu for to-day. If I have time I shall write another note before I post this. If not I shall have a letter at the garden for you; so dearest love and a fond embrace. Believe me your ever-devoted and fond MIMI.

No. 15; postmark, "3d Dec., '55":—

Tuesday, two o'clock.

MY OWN DARLING HUSBAND,—I am afraid I may be too late to write you this evening; so as all are out I shall do it now, my sweet one. I did not expect the pleasure of seeing you last evening; of being fondled by you, dear, dear Emile. Our cook was ill and went to bed at ten. That was the reason I could see you; but I trust ere long to have a long interview with you, sweet one of my soul, my love, my all, my own best beloved. I hope you slept well last evening and find yourself better to-day. I was at St Vincent Street to-day. B. and M. are gone to call for the Houldsworths and some others. Never fear me; I love you well, my own sweet darling Emile. Do go to Edinburgh and visit the Lanes; also, my sweet love, go to the ball given to the officers. I think you should consult Dr M'Farlane; that is, go and see him. Get him to sound you—tell you what is wrong with you. Ask him to prescribe for you, and if you have any love for your Mimi, follow his advice. And oh! sweet love, do not try and doctor yourself; but oh! sweet love, follow the M.D.'s advice. Be good for once, and I am sure you will be well. Is it not horrid cold weather? I did, my love, so pity you standing in the cold last night, but I could not get Janet to sleep, little stupid thing. This is a horrid scroll, as I have been stopped twice with that bore visitors. My own sweet beloved, I can say nothing as to our marriage, as it is not certain when they may go from home—when I may is uncertain. My beloved, will we require to be married in Edinburgh, or will it do here? You know I know nothing of these things. I fear the banns in Glasgow; there are so many people knowme. If I had any other name but Madeleine it might pass; but it is not a very common one. But we must manage in some way to be united ere we leave town. How kind of Mary to take any trouble with us. She must be a dear good creature. I would so like to visit her; but no, I cannot; I shall never, never forget the first visit I paid with my own beloved husband; my sweet dear Emile—you sweet dear darling. If ever again I show temper (which I hope to God I won't) don't mind—it is not with you I am cross. Sweet love I adore you with my heart and soul. I must have a letter from you soon. I am engaged up till Friday night. Sweet pet will that be too soon for you to write. I have written a great many letters to-day. I am much behind in my correspondence. I do hope your finger is better—take care of it. When may we meet again—soon, I hope and trust. Sweet darling, you are kind to me, very kind and loving. I ought never in any way to vex or annoy you. My own my beloved Emile I wish to get this posted to-night, as I don't understand the post. I posted your Saturday note before 12, and you did not get it till Monday. We have had a great many letters go astray lately. I got a letter on Monday morning, written six weeks ago. Are these officers nice fellows? Why are they here? How is your mother and sister—well, I hope, my own sweet. But, pet, I must stop, as they will be in shortly. If I do not post this to-night you shall have a P.S. Much, much love; kisses tender; long embraces—kisses, love. I am thy own, thy ever fond, thy own dear loving wife—thy

MIMI L'ANGELIER.

No. 17; postmark, "Helensburgh, April 30, '56":—

Tuesday, April 29, 1856.

MY OWN, MY BELOVED EMILE,—I wrote you Sunday night for you to get my note on your birthday (to-day), but I could not get it posted. Disappointment it was to me—but "better late than never." My beloved, may you have many happy returns of this day . . . I wish we were more alone; I wish I were with you alone—that would be true happiness. Dearest, I must see you; it is fearful never to see you, but I am sure I don't know when I shall see you. P. has not been a night in town for some time, but the first night he is off I shall see you. We shall spend an hour of bliss. There shall be no risk—only C. H. shall know. . . . I have been reading *Blackwood* for this month. *B.* is a favourite publication of mine—in fact, I think it is the best-conducted monthly publication. . . . Only fancy, in turning out an old box yesterday, I got an old notebook three years old, and in going over it, many of the pages had the name L'Angelier on them. I did not think I had been so fond of my darling then. I put it in the fire, as there are many names in it I would not like to see beside yours, my own sweet darling husband. Now, this is a very long letter to-night. I must conclude with a fond, fond embrace, a sweet kiss. I wish it were to be given, not sent. . . .

No. 21; postmark dated "May 3, '56."

Friday.

My own, my Beloved Emile,—The thought of seeing you so soon makes me feel happy and glad. Oh to hear you again speak to me, call me your wife, and tell me you love me. Can you wonder that I feel happy? I shall be so happy to see you. I cannot tell how I long to see you; it looks such an age since I saw you, my own sweet pet. I am well; cold quite gone. P. has been in bed two days. If he should not feel well and come down on Tuesday it shall make no difference. Just you come, only darling. I think if he is in the boat you should get out at Helensburgh. Well beloved, you shall come to the gate—you know it—and wait till I come. And then, oh happiness; won't I kiss you, my love, my own beloved Emile, my husband dear? I don't think there is any risk. Well, Tuesday, 6th May—the gate—half-past ten: you understand, darling. I hope you are well, no cold. Take care of yourself. I have nothing new to tell you. I have been rather busy all this week. I shall expect you to have a letter for me. The weather is so fine I have been a great deal out this week, looking after out-door arrangements. I have got a new employment, the "Hen Yard." I go there every morning. You can fancy me every morning at 10 o'c seeing the hens being fed, and feeding my donkey. I don't get on very fast with it; I fear it has little affection; do for it what I shall it only appears to know me, and come to me when I call. My beloved Emile I feel so delighted at the idea of seeing you. I cannot write. I hope you will be able to tell me that you shall get married in September. Darling, I love you. I shall remain for ever true. As you say, we are man and wife; so we are, my pet; we shall, I trust, ever remain so. It shall be the happiest day of my life the day that unites us never more to separate. I trust and pray we shall for ever remain happy and loving. But there is no fear of that, we are sure to do so, love, are we not? But I must stop, as P. wishes me to go and read the papers to him, it is 11 o'c night. So if I don't write any more forgive me love. Beloved of my soul, a fond embrace, a dear kiss till we meet; we shall have more than one love, dearest. From thy own, thy ever devoted and loving wife, thine for ever,

Mimi.

Tuesday, half-past ten o'clock.

No. 23; postmark, "Helensburgh, 7th;" month and year illegible:—

Wednesday morning, five o'clock.

My own, my Beloved Husband,—I trust to God you got home safe, and were not much the worse of being out. Thank you, my love, for coming so far to see your Mimi. It is truly a pleasure to see my Emile. Beloved, if we did wrong last night, it was in the excitement of our love. Yes, beloved, I did truly love you with my soul. I was happy; it was a pleasure to be with you. Oh, if we could have remained, never more to have parted. But we must hope the time shall come. I must have been very stupid to you last night, but everything goes out of my head when I see you, my darling, my love. I often think I must be very stupid in your eyes. You must be disappointed with me. I wonder you like me in the least; but I trust and pray the day may come when you shall like me better. Beloved, we shall wait till you are quite ready. I shall see and speak to Jack on Sunday. I shall consider about telling mamma. But I don't see any hope from her. I know her mind. You, of course, cannot judge of my parents; you know them not. I did not know, or I should not have done it, that I caused you to pay extra postage for my stupid cold letters; it shall not occur again. Darling Emile, did I seem cold to you last night? Darling, I love you—you, my own Emile. I love you with my heart and soul. Am I not your wife? Yes, I am. And you may rest assured, after what has passed, I cannot be the wife of any other but dear, dear Emile. No, now it would be a sin. I am sorry you are going to lose your kind friends the Sievwrights. I am so glad when you have kind friends, for then I know you can go there of an evening and be happy. I often often think of your long evening by yourself. What a happy day de M—'s marriage day must have been. I have a regret that it was not ours, but the time shall pass away. I dread next winter. Only fancy, beloved, us both in the same town and unable to write or see each other; it breaks my heart to think of it. Why, beloved, are we so unfortunate? I thank you very much for your dear long letter. You are kind to me, love. I am sorry for your cold. You were not well last night; I saw you were not yourself. Beloved pet take care of it. When may we meet * (oh that blot) again. A long time; is it not sad? I weep to think of it, to be separated thus; if you were far away it would not be so bad, but to think you near me. I cannot see you when you come to Miss White's, as you could not be out so late. They cannot keep us from each other. No, that they never shall. Emile, beloved, I have sometimes thought, Would you not like to go to Lima after we are married? Would that not do? Any place with you, pet. I did not bleed in the least last night, but I had a good deal of pain during the night. Tell me, pet, were you angry at me for allowing you to do what you did? Was it very bad of me? We should, I suppose, have waited till we were married? I shall always remember last night. Will we not often talk of our evening meetings after we are married? Why do you say in your letter—"If we are not married?" I would not regret knowing you. Beloved, have you a doubt but that we shall be mar-

ried some day? I shall write dear Mary soon. What would she say if she knew we were so intimate! She would lose all her good opinion of us both, would she not? My kind love to your dear sisters when you write. Tell me the names of your sisters. They shall be my sisters some day. I shall love if they are like their dear brother, my dear husband. I know you can have little confidence in me. But, dear, I shall not flirt. I do not think it is right of me. I should only be pleasant to gentlemen. Free with none, my pet, in conversation, but yourself. I shall endeavour to please you in this. Now, will you tell me at the end of the summer if you have heard anything of me flirting? Now, just you see how good your Mimi shall be. Pet, I see you smile and say, "If she has a chance." Try and trust me; love me. Beloved, adieu.

No. 25, a letter bearing to be from the deceased to the panel, was then offered, but objected to as having been found in deceased's lodgings, and there being no evidence of it having been sent.

No. 31; postmark, "Helensburgh, 14th day of ——." (Month and year illegible.)

My own, My Darling Husband—To-morrow night by this time I shall be in possession of your dear letter. I shall kiss it and press it to my bosom. Hearing from you is my greatest pleasure; it is next to seeing you my sweet love. My fond Emile, are you well, darling of my soul? This weather is enough to make one ill, is it not? We have had most dull wet days, but I have had time to read and practice, which is a comfort to me. I am well. I am longing so to see you, sweet pet, to kiss and pet you. Oh for the day when I could do so at any time. I fear we shall spoil each other when we are married, we shall be so loving and kind. We shall be so happy, happy, in our own little room, no one to annoy us, to disturb us. All to ourselves, we shall so enjoy that day.

No 35 was then read:—

Friday night.

Beloved, Dearly Beloved Husband, Sweet Emile,—How I long to call you mine; never more to leave you. What must occur ere that takes place, God only knows? I often fear some cloud may yet fall on our path, and mar our happiness for a long time. I shall never cause you unhappiness again. No, I was unkind, cruel, unloving, but it shall never be repeated. No, I am now a wife, a wife in every sense of the word, and it is my duty to conduct myself as such. Yes, I shall behave next more to your mind. I am no longer a child. Rest assured I shall be true and faithful wherever you are, dear love. My constant thought shall be of my Emile, who is far, far away. I only consent to your leaving if you think it will do you good—I mean do your health good. Your income would be quite enough for me. Don't for a moment think I want you to better your income for me; no, dearest, I am quite content with the sum you named. When I first loved you I knew you were poor. I felt, then, I would be content with your lot, however humble it might be. Yes, your home, in whatever place, or whatever kind, would suit me. If you only saw me now—(I am all alone in my little bedroom)—you would never mention your home as being humble. I have a small room on the ground floor—very small—so don't fancy I could not put up in small rooms and with humble fare. But if you think it would do you good—a tour—go by all means for six months or so. I trust you will take care of yourself, and not forget your Mimi. Oh, how I love that name of Mimi! You shall always call me by that name; and, dearest Emile, if ever we should have a daughter, I should like you to allow me to call Mimi for her father's sake. You like that name and I love it. You think I don't confide in you, sweet pet. It would I thought annoy you if I were to tell you all my little trifles, you would sometimes think me stupid.

. . . . . .

As you ask me I shall burn your last letter. It was my cold which prevented my going to Arrochar. I don't know when we may go now, perhaps not at all. I have promised to go to Stirling to pay a visit in August. B. had an invitation to go to Edinburgh Castle next week. The major knew I would not go, so did not invite me. I don't think she will go; P. wont allow her by herself, and I wont go, so I think she will have to stay at home, which is much better, don't you think so. James goes to Edinburgh to school in August. I think he will go far astray away from home, and every one, but P. will have all the blame if the boys are not what they should be. Jack is not near so nice as he was. I think I have answered all your questions. I was ill the beginning of this week, so if I should have the happiness to see you on Tuesday night I shall be quite well. I think I feel better this week. I cannot eat; I have not taken any breakfast for about two months, not even a cup of tea, nothing till I get luncheon at one o'clock. I don't sleep much. I wonder, and so does M., that my looks are not changed, but I look as well as if I eat and slept well. I don't think I am any stouter, but you can judge when you next see me; but I must go to bed as I feel cold, so good night. Would to God it were to be by your side, I would feel well and happy then. I think I would be wishing you to love me if I were with you, but I don't suppose you would refuse me; for I know you will like to love your Mimi. Adieu sweet love, kind pet husband, my own true Emile. I am thine for ever, thy wife, thy devoted, thy own true Mimi L'Angelier.

Good night. God bless you. A kiss pet love. If dear love you could write me as I might get it on Tuesday morning it would be best, but if you cannot, say then Wednesday. Farewell dear husband of my soul, my own dear

love, my pet, my fond Emile. A kiss. A fond embrace. Good night, a kiss.

1 o'c. morning.

It having been proposed to read No. 25 the Lord Advocate remarked on the words "burn your last letter."

The Dean of Faculty said this letter bore the postmark of 27th June, and bore date 7th May. There seemed to be a good objection to the reception. The letter was not in its proper envelope, and no one could say that this letter was of any value in consequence of the mixing and confounding of the letters and envelopes. He objected therefore to its being received on the ground stated.

The Lord Advocate replied to the Dean's objections.

The Court retired for a few minutes, and on its return,

The Lord Justice-Clerk said that the majority of the Court were of opinion that this letter could not be received. The objection taken was good.

Objection sustained.

No. 37; postmark, "Helensburgh, 15th July 1856:"—

My Sweet, Beloved, and Dearest Emile, —I shall begin and answer your dear long letter. In the first place, how are you? Better I trust. You know I feel disappointed at our marriage not taking place in September. But, as it could not, why, then, I just made up my mind to be content, and trust that it may be ere long. We shall fix about that at our next meeting, which I hope wont be long. Emile, dear husband, how can you express such words—that you mar my amusements and that you are a bore to me. Fie, fie, dear Emile, you must not say so again—you must not even think so—it is so very unkind of you. Why, I would be very unhappy if you were not near me. I did laugh at your pinning my little flower to your shirt. I always put your flowers into books, in the drawing-room, there I can go and look at them at any time. Do not weep, darling, fond husband, it makes me sad to think you weep. Do not do it, darling; a fond embrace and dear kiss to you, sweet and much beloved Emile. Our intimacy has not been criminal, as I am your wife before God—so it has been no sin our loving each other. No; darling, fond Emile, I am your wife. I shall cease to be childish and thoughtless, I shall do all I can to please you, and retain you truly, dear fond love. You know I have wished as much as you do to give you my likeness, but I have not had an opportunity. I promise to you you shall have it some day, so that promise won't be broken. If I did not sign my name, it was for no reason. Unless it was to a stranger, I never do put Smith, only Madeleine. You shall, dear love, have all your letters back. Emile, love, you are wrong. If I did feel cool towards you in winter, I never gave thought of love to any other. No other image has ever filled my heart since I knew you. I might admire some people, but on my soul I never did love since I knew you, my own dear fond and ever beloved Emile. I am so glad you go and take a walk on Sunday. I would rather you did so than go to church.

No. 41; postmark, "July, 24," (year illegible):—

Tuesday morning, July 24.

My own Beloved Emile,—I hope and trust you arrived safe home on Monday. I did enjoy your kind visit on Sunday. It makes me feel in good spirits for a week after seeing you. Oh! I wish I could see you often, it would be such a comfort to both of us. But I hope there is happiness in store for us yet. When we are married, it will be my constant endeavour to please you, and add to your comfort. I shall try to study you, and when you get a little out of temper, I shall try and pet you dearest, and kiss and fondle you. I was not astonished at your thinking me cool, for I really have been in fault. But it is my way. But I must change it to you. I shall try and be more affectionate for the future. You know I love you dearly. Ah! Emile, you possess my love. I could not love any other as I do you; and believe me I shall ever remain true to you. I think a woman who can be untrue ought to be banished from society. It is a most heartless thing. After your disappointment, dearest Emile, I wonder you would have had any confidence in another. But I feel that you have had confidence in me, or you would not love me as you do. I long for the day when we shall be always together.

No. 43; postmark, "Helensburgh, July '56":—

Saturday Night, eleven o'clock.

Beloved and Darling Husband, Dear Emile,—I have just received your letter. A thousand kind thanks for it. It is kind, and I shall love you more for writing me such a letter. Dearest, I do love you for telling me all you think of me. Emile, I am sorry you are ill. I trust to God you are better. For the love of Heaven take care of yourself. Leave town for a day or two. I am as much your wife as if we had been married a year. You cannot, will not leave me, your wife. Oh, for pity's sake, do not go. I will do all you ask, only remain in this country. I shall keep all my promises. I shall not be thoughtless and indifferent to you. On my soul I love you and adore you with the love of a wife. I will do anything—I will do all you mention in your letters, to please you, only do not leave me or forsake me. I entreat of you, my husband—my fondly loved Emile—only stay and be my guide, my husband dear. You are my all; my only dear love. Have confidence in me, sweet pet. Trust me, Heaven is my witness. I shall never prove untrue to you. I shall—I am your wife. No other shall I ever marry. I promise I shall not go about the streets, Emile, more

than you have said. We went about too much. I shall not go about much. But one thing you must promise me is this—that if you should meet me at any time in B. Street or S. Street, you will not look on me crossly; for it almost made me weep on the street last winter sometimes when you hardly looked at me. I shall take lessons in water colours. I shall tell you in my next note what I intend to study. It will rather amuse you. P. gave me the dog "Sambo" Skye Breed—"Pedro" the Coachman got for me, English breed. They had their names when I got them. I am sorry you dislike melons as they are rather a favourite of mine. I hope dear pet Emile you will get nice lodgings, I always thought the gardens were too far away from your office. How nicely the 12s. would suit us at Hillhead. I hope we may meet soon. P. or M. are not going from home. We intended to post to Arrochar, so it would be no use your being in the boat. I shall not see you till the nights are a little darker. I can trust C. H., she will never tell about our meetings. She intends to be married in November. But she may change her mind. Now, Emile, I shall keep all my promises I made to you. I shall love and obey you; my duty as your wife is to do so. I shall do all you want me; trust me; keep yourself easy. I know what awaits me; if I do what you disapprove, off you go. That shall always be in my mind. Go, never more to return. The day that occurs I hope I may die. Yes, I shall never wish to look on the face of man again. You would die in Africa; your death would be at my hands. God forbid! Trust me, I love you; yes, love you for myself alone. I adore you with my heart and soul. Emile, I swear to you I shall do all you wish and ask me. I love you more than life. I am thine—thine own Mimi L'Angelier. Emile, you shall have all your letters the first time we meet. It may cost me a sigh and a pang, but you shall have them all. I wonder what you would do with one of my drawings; a stupid black-looking thing. Minnoch left this morning. Say nothing to him in passing. It will only give him cause to say you did not behave in a gentlemanly manner. Do not do it. He said nothing to me out of place; but I was not a moment with him by myself. I did not wish to be alone with him.

No. 47; postmark, "Helensburgh, August 11, '56":—

Wednesday afternoon.

Beloved and ever Dear Emile,—All by myself. So I shall write to you, my dear husband. Your visit of last night is over. I longed for it. How fast it passed! It looked but a few minutes ere you left me. You did look cross at first, but, thank Heaven, you looked yourself ere you left—your old smile. Dear fond Emile, I love you more and more. Emile, I know you will not go far away from me. I am your wife. You cannot leave me for ever. Could you, Emile—I spoke in jest of your going last night, for I do not think you will go very far away from me, Emile, your wife. Would you leave me to end my days in misery? for I can never be the wife of another after our intimacy. But, sweet love, I do not regret that—never did and never shall. Emile, you were not pleased because I would not let you love me last night. Your last visit you said, "You would not do it again till we were married." I said to myself at the time . . . . . No one heard you last night. Next night it shall be a different window, that one is much too small. I must see you before you go to Badgemore. I am so glad I have your letters, as they are such a pleasure to me. I read and read them over and over again—and I love them so. I hope you will correct the person who told you of our having been at the Tweedies & Raits. I have seen Mr Rait in the shop—when I was in with papa—but that is all. And I have heard M. say she has met Mrs Rait at parties, but that is all. I never spoke to Miss Rait. I know her by sight, but that is all. James called at the Tweedies while they were at Stone. I don't like the family—there is no great respect attached to Mr T.'s name. As for Tweedie, junr., I don't know him even by sight. So, sweet love, you may hear much that is false when you have heard of two such simple things being wrong. I shall tell Jack some day you know Miss Dougall, the Dr's daughter in Elmbank Place. I remember long long ago of seeing you meet that young lady opposite to aunt's windows, whether by appointment or not I cannot say. Aunt told me then you were engaged to her. I had a letter from aunt this morning in which she says she saw you—but you did not look well. Your hair is so long that it makes you look (now don't be angry) not near so good looking. Are you cross at me for saying that. No, love, you are not. I must have a letter from you very soon—the beginning of the week, perhaps Wednesday, "Miss Bruce, P.O., Row." You shall tell me all your arrangements.

No. 49.

Thursday evening.

My own Dear Emile,—How must I thank you for your kind dear letter? Accept a fond embrace, and dear kisses, and assurances that I love you as much as ever, and have never regretted what has occurred. I forgive you freely from my heart for that picture. Never do the same thing again. I am better though I have still cold, it is my cough that annoys me. I do wish I could get rid of that cough. I often fear it is not a good cough, it has been going and coming all summer, but I shall take great care dear love for your sake. I hope you will get away; do you not find the horror of being obliged to ask a master's leave to go from home for a short time. I do wish you

were your own master. Will you not try when in England to get some other situation with a larger income. I wish you could get one out of Glasgow. You dislike Glasgow and so do I; try and see what you can do while you are away. I cannot see you ere you go, for which I am sorry. You forget that my little sister is in my bedroom, and I could not go out by the window or leave the house and she there. It is only when P. is away I can see you, for then Janet sleeps with M. You see I cannot see you if you go on Monday; don't write me again till I tell you. If you do not go, write me so as I may not write to Badgemore. . . . . I did tell you at one time that I did not like Minnoch, but he was so pleasant that he quite raised himself in my estimation.

No. 51; postmark "Helensburgh, 29th September 1856":—

My own ever dear Emile,—I did not write you on Saturday as C. H. was not at home, so I could not get it posted. I hope, love, you are home and well, quite well, and quite able to stand all the cold winds of winter. I am quite well, quite free of cold. I don't think I can see you this week; but I think next Monday night I shall, as P. and M. are to be in Edinburgh, but my only thought is Janet, what I am to do with her. I shall have to wait till she is asleep, which may be near eleven o'clock; but you may be sure I shall do it as soon as I can. I expect great pleasure at seeing you. As a favour do not refer to what is past. I shall be kind and good, dear sweet love, my own, my best loved husband; I do love you very much. What cold weather we have had. Mr Minnoch has been here since Friday; he is most agreeable. I think we shall see him very often this winter. He says we shall, and P. being so fond of him, I am sure he shall ask him in often. I hope to hear from you very soon. Will you, love, write me soon. You know how much I love to hear from you. Nothing gives me more pleasure, sweet love, my own, my dear Emile.

No. 53; postmark, 'Helensburgh, October,' (day and year illegible):—

Tuesday evening.

My Dear Emile,—The day is cold. I shall not go out; so I shall spend a little time in writing you. Our meeting last night was peculiar. Emile, you are not reasonable. I do not wonder at your not loving me as you once did. Emile, I am not worthy of you. You deserve a better wife than I. I see misery before me this winter. I would to God we were not to be so near the M's. You shall hear all stories, and believe them. You will say I am indifferent because I shall not be able to see you much. I forgot to tell you last night that I shall not be able of an evening to let you in. My room is next to B., and on the same floor as the front door. I shall never be able to spend the happy hours we did last winter. Our letters, I don't see how I am able to do. M. will watch every post. I intended to speak to you of all this last night, but we were so engaged otherwise.

No. 55; postmark, 'Helensburgh, Oct. 20, 1856':—

. . . . Do you know I have taken a great dislike to C. H. I shall try and do without her aid in the winter. She has been with us four years, and I am tired of her; but I won't show it to her so, dearest love.

No. 57; postmark, 'Glasgow, November,' (day and year illegible):—

Friday night, 12 o'clock.

My own Darling, my Dearest Emile,—I would have written you ere this, but as I did not intend to be out till Saturday I saw no use in writing. . . . Sweet love, I have thought more of you for this last fortnight than ever I did, you are my constant thought. Emile is the only name ever on my lips. A fond embrace sweet darling. Did you go to the concert? I did. Jack went, he came in, had ordered the cab, and brought me my gloves (he always does that when I am going out with him), so I went with him and B. I looked at every one, but could not see my husband. Mr M. was there with his horrid old sister, but I only bowed to them. I have not seen any of them yet. I don't understand why P. has not asked him to dinner yet. Mr Kirk was ill with cold, and so he stayed at home with P. & M. I shall send you the likeness some night soon, perhaps next week, but you shall have it. I shall send it to your lodging. There is rather a coolness with us and aunts this season. We shall not see them much. We have only seen them once. Sweet love, you should get those brown envelopes, they would not be so much seen as white ones put down into my window. You should just stoop down to tie your shoe and then slip it in. The back door is closed. M. keeps the key for fear our servant boy would go out of an evening. We have got blinds for our windows. . . . I have been ordered by the doctor since I came to town to take a fearful thing called "pease-meal." Such a nasty thing I am to take at luncheon. I have not tasted breakfast for two months; but I don't think I can take this meal. I shall rather take cocoa. But, dearest love, fond embraces, much love and kisses from your devoted wife, your loving and affectionate wife,

Mimi L'Angelier.

No. 61; postmark, 'Glasgow, Nov. 18':—

First letter I have written in Blythswood Square House. Good night, my very sweet love.

No. 63; postmark, 'Glasgow, Nov. 21. '56':—

My Very Dear Emile,—I do not know where this may be posted. Now, about writing, I wish you to write me and give me the

note on Tuesday evening next. You will, about eight o'clock come and put the letter down into the window—(just drop it in—I won't be there at the time)—the window next to Minnoch's close door. There are two windows together with white blinds. Don't be seen near the house on Sunday, as M. won't be at church, and she will watch. In your letter, dear love, tell me what night of the week will be best for you to leave the letter for me. If M. and P. were from home I would take you in very well at the front door, just the same way as I did in India Street, and I won't let a chance pass—I won't, sweet pet of of my soul, my only best-loved darling.

Now, you understand me, Tuesday evening next, between seven and eight o'clock. Drop the note in between the bars on the street, and I shall take it in. The window with white blind, next to Billy's door.

No. 65; postmark, 'Glasgow, Nov. 30, '56':—

. . . I was sorry I said anyt hing about Mary. It was not kind of me. She's your kind and true friend. It was very bad of me, but I was vexed she said she would not write me. I thought she had taken some dislike to me, and would not write me. She had written me all along, knowing M. did not know; so I thought it peculiar she should drop writing without some other excuse.

No. 67; 'Glasgow, Dec. 5, '56':—

SWEETEST, DEAREST LOVE,—If it is more convenient for you to drop in my note at six o'clock, do it; it will suit me just as well. If not six, eight o'clock. Will you, darling, write me for Thursday first. If six o'clock, do it; I shall look. If not at six o'clock, why I shall look at eight. I hope no one sees you; and, darling, make no noise at the window. You mistake me. The snobs I spoke of do not know anything of me; they see a light, and they fancy it may be the servants' room, and they may have some fun; only you know I sleep down stairs. I never told any one, so don't knock again, my beloved. . . . . I wept for hours after I received your letter, and this day I have been sad—yes, very sad. My Emile, I love you, and you only. I have tried to assure you no other has a place in my heart. It was Minnoch that was at the concert with me. You see I would not hide that from you. Emile, he is P.'s friend, and I know he will have him at the house; but need you mind that when I have told you I have no regard for him. It is only you, my Emile, that I love; you should not mind public report. You know I am your wife, and that we shall shortly be united: so it matters not. I promised you I should be seen as little in public with him as I could. I have avoided him at all times. But I could not on Wednesday night; so sweet love be reasonable. I love you, is not that enough!

No. 69, 'Glasgow, 8 Dec. '56':—

MY DEAREST LOVE, MY OWN FOND HUSBAND, MY SWEET EMILE,—I cannot resist the temptation of writing you a line this evening. Dear love, by this time you will have my parcel. I hope ere long you may have the original, which I know you will like better than a glass likeness. Won't you, sweet love? . . . Emile, I don't see when we are to have a chance. I don't know, but I rather think papa and mamma will go in to Edinburgh with James in January, but I don't hear of them being from home in February. I rather fear we shall have difficulties to contend with; but we must do our best. How am I to get out of the house in the morning with my things (which will be two large boxes, &c.), I don't know. I rather think they must go the night before; and for that I would try and get the back door key. The banns give me great fright; I wish there was any way to get quit of them. What stupid things they are! I don't see the use of them.

No. 73; postmark, 'Glasgow, 17th ——, 1856':—

MY OWN BELOVED, MY DARLING,—I am longing for Thursday to bring me your sweet letter. . . . Beloved Emile, I don't see how we can. M. is not going from home, and when P. is away Janet does not sleep with M. She won't leave me, as I have a fire in my room, and M. has none. Do you think, beloved, you could not see me some nights for a few moments at the door under the front door; but perhaps it would not be safe. Some one might pass as you were coming in. We had better not. . . .

No. 75; postmark, 'Glasgow, Dec. 19, 1856':—

MY BELOVED, MY DARLING,—Do you for a second think I could feel happy this evening, knowing you were in low spirits and that I am the cause? Oh, why was I ever born to annoy you, best and dearest of men? Do you not wish—Oh yes! full well I know you often wish you had never known me. I thought I was doing all I could to please you. But no. When shall I ever be what you wish me to be? Never! Never! Emile, will you never trust me—she who is to be your wife? You will not believe me. You say you heard I took M. to the concert against his inclination, and forced him to go. I told you the right way when I wrote. But from your statement in your letter of to-night you did not believe my word. Emile, I would not have done this to you. Even now I would write and tell you. I would not believe every idle report. No; I would not. I would, my beloved Emile, believe my husband's word before any other. But you always listen to reports about me if they are bad. . . . Oh, would to God we could meet. I would not mind Mamma; if Papa and Mamma are from home—the first time they are, you shall be here. Yes, my love, I must see you, I must be pressed to your heart. . . . O yes, my beloved, we must make a

bold effort. I shall do it with all my heart if you will. I should so like to be your wife ere they leave town, end of March. Oh, these horrid banns. I will go to Edinburgh for twenty-one days, if that will do. I am so afraid of Glasgow people telling Papa, and then there would be such a row. You see, darling, we would have a greater chance of making up if we were off than if he found it out before we were married.

No. 81; postmark, 'Glasgow, 28th Dec., 1856':—

. . . Now, I must tell you something you may hear. I was at the theatre; and people, my love, may tell you that M. was there too. Well, M. was there, but he did not know of my going. He was in the Club Box, and I did not even bow to him. To-day, when B., Mamma, and I were walking, M. joined us, took a walk with us, and came home. He was most civil and kind. He sent Janet such a lovely flower to-night, to wear on Monday evening. Now, I have told you this, sweet pet. I know you will be angry; but I would rather bear your anger than that you should perhaps blame me for not telling you, as some one will be sure to inform you of me. . . . . .

No. 85; dated 'Friday, Jan. 9;' postmark, 'Glasgow, 10 Jan., 1857':—

It is past eleven o'clock, and no letter from you, my own ever dear beloved husband. Why this, sweet one? I think I heard your stick this evening. Pray, do not make any sounds whatever at my window. If it were possible, sweet one, would you not leave my notes at six as at ten o'clock? The moon is up, and it is light. I hope my own ever dear beloved one you feel better, and that you are in better spirits. Sweet dear Emile, I do truly and fondly love you with my heart and soul. But you I know think me cool and indifferent.

No. 87; postmark, 'Glasgow, 11th Jan. '57':—

My own Dear Beloved Emile,—I cannot tell you how sorry I was last night at not hearing from you. . . . If you would risk it, my sweet beloved pet, we would have time to kiss each other and a dear fond embrace; and though, sweet love, it is only for a minute do you not think it is better than not meeting at all? . . .

No. 89; postmark, 'Jan. 14, 1857':—

My own Beloved Darling Husband,—I have written Mary a note, and you shall have one too. . . .

No. 91; postmark, 'Glasgow, Jan. 16, 1857':—

Friday, three o'clock, afternoon.

My very Dear Emile,—I ought ere this to have written you. I hope your hand is better. Do take care of it my own sweet pet, try and soon get well. Well, my dear Emile, you did look cross at your Mimi the other day. Why, my pet, you cannot expect that I am never to go on St. V. St. Sometimes I must. It is not quite fair of you. I have kept off that street so well this winter, and yet when you meet me, and the first time you have bowed to me this season, that you should have looked so cross. When I saw you, my little pet, coming, I felt frightened even to bow to you.

No. 93; postmark, 'Glasgow, 19th Jan. 1857':—

Dearest Emile,—My sweet beloved I could not get this posted for you to-day; love, I hope you are well. I did not sleep all night thinking of my own pet. I went to Govan with M., and when I got home I was looking so ill M. made me go and take a walk to get some colour, so B., Pattison, and I, took a long walk on the Dumbarton Road. When I told you, love, to write me for to-night, I forgot I am to be out. We go to Taylor's, Park Terrace. He is the banker; you will know him. And as we go at nine o'clock, your letter will not be there, but I shall tell C. H. to take it in. Dearest Emile, all this day I have wished for you one moment to kiss you; to lay my head on your breast would make me happy. I think I shall see you on Thursday night. I think P. is not at home; but you shall hear. Adieu, my loved one, my husband. My own little pet. Adieu. God bless you, I am your wife. Your own,

Mimi L'Angelier.

No. 95; postmark, 'Glasgow, 21st Jan., 1857':—

My Dearest Emile,—I hope you are well. Why no letter, pet, on Monday night, it was such a disappointment to your Mimi. I cannot see you on Thursday as I had hoped. Jack is out at a party and the boy will sit up for him, so I cannot see you. A better chance may soon occur my dear pet. I shall write you a letter soon, I have not time at present. I won't write to-night I am so tired. I have not got home till after two o'clock for the last two nights. If you can I shall look for a note on Friday at eight or ten o'clock, *not* six. Much more love, fond kisses, a tender embrace.—I am for ever yours devotedly,

Mimi.

No. 97; postmark, 'Glasgow 23d January 1857':—

My Dear Emile,—I was so very sorry that I could not see you to-night. I had expected an hour's chat with you; but we must just hope for better the next time. I hope you are well. Is your hand quite better my dear pet? . . . I am with much love for ever your own dear sweet little pet wife, your own fond Mimi L'Angelier. . . . Emile, my own beloved, you have just left me. Oh, sweet darling, at this moment my heart and soul burns with love for thee, my husband, my own sweet one. Emile, what would I not give at this moment to be your fond wife? My night dress was on when you saw me; would to God you had been in the same attire.

We would be happy. Emile, I adore you. I love you with my heart and soul. I do vex and annoy you, but oh, sweet love, I do fondly, truly love you with my soul; to be your wife, your own sweet wife. I never felt so restless and unhappy as I have done for some time past. I would do anything to keep sad thoughts from my mind; but in whatever place some things make me feel sad. A dark spot is in the future. What can it be? Oh, God keep it from us. Oh may we be happy. Dear darling pray for our happiness. I weep now, Emile, to think of our fate. If we could only get married, and all would be well. But alas, alas, I see no chance, no chance of happiness for me. I must speak with you. Yes, I must again be pressed to your loving bosom, be kissed by you my only love my dearest darling husband. Why were we fated to be so unhappy? Why were we made to be kept separate? My heart is too full to write more. Oh, pardon, forgive me. If you are able, I need not say it will give me pleasure to hear from you to-morrow night. If at ten o'clock, don't wait to see me, as Janet may not be asleep, and I will have to wait till she sleeps to take it in. Make no noise. Adieu, farewell! my own beloved, my darling, my own Emile. Good night, best beloved. Adieu, I am your ever true and devoted MIMI L'ANGELIER. . . I don't see the least chance for us, my dear love. M. is not well enough to go from home, and, my dear little sweet pet, I don't see we could manage in Edinburgh, because I could not leave a friend's house without their knowing it, so, sweet pet, it must at present be put off till a better time. I see no chance before March. But rest assured, my dear love, Emile, if I see any chance I shall let you know of it.

No. 101; postmark, 'Glasgow, Feb. — 1857:'—

I felt truly astonished to have my last letter returned to me; but it will be the last you shall have an opportunity of returning me. When you are not pleased with the letters I send you, then our correspondence shall be at an end; and as there is coolness on both sides, our engagement had better be broken. This may astonish you; but you have more than once returned me my letters, and my mind was made up that I should not stand the same thing again. And you also annoyed me much on Saturday by your conduct in coming so near me; altogether, I think, owing to coolness and indifference (nothing else), that we had better, for the future, consider ourselves strangers. I trust to your honour as a gentleman that you will not reveal anything that may have passed between us. I shall feel obliged by your bringing me my letters and likeness on Thursday evening at seven. Be at the same gate, and C. H. will take the parcel from you. On Friday night I shall send you all your letters, likeness, &c. I trust that you may yet be happy, and get one more worthy of you than I. On Thursday at seven o'clock.—I am, &c.,

M.

You may be astonished at this sudden change, but for some time back you must have noticed a coolness in my notes. My love for you has ceased, and that is why I was cool. I did once love you truly and fondly, but for some time back I have lost much of that love. There is no other reason for my conduct, and I think it but fair to let you know this. I might have gone on, and become your wife, but I could not have loved you as I ought. My conduct you will condemn, but I did at one time love you with heart and soul. It has cost me much to tell you this—sleepless nights—but it was necessary you should know. If you remain in Glasgow, or go away, I hope you may succeed in all your endeavours. I know you will never injure the character of one you so fondly loved. No, Emile, I know you have honour, and are a gentleman. What has passed you will not mention. I know when I ask you that you will comply.—Adieu.

No. 103; postmark; 'Glasgow, 9th Feb., '57':—

I attribute it to your having cold that I had no answer to my last note. On Thursday evening you were, I suppose, afraid of the night air. I fear your cold is not better. I again appoint Thursday night first, same place, street gate, seven o'clock.—M. If you can bring me the parcel on Thursday, please write a note, saying when you shall bring it, and address it to C. H. Send it by post.

No. 105; postmark, 'Glasgow, 10th —— 1857':—

Monday night.

EMILE,—I have just had your note. Emile, for the love you once had for me do nothing till I see you. For God's sake do not bring your once loved Mimi to an open shame. Emile, I have deceived you. I have deceived my mother. God knows she did not boast of anything I had said of you, for the poor woman thought I had broken off with you last winter. I deceived you by telling you she still knew of our engagement. She did not. This I now confess, and as for wishing for an engagement with another, I do not fancy she ever thought of it. Emile, write to no one—to papa or any other. O! do not till I see you on Wednesday night. Be at the Hamiltons' at twelve, and I shall open my shutter, and then you come to the area gate, and I shall see you. It would break my mother's heart. Oh, Emile, be not harsh to me. I am the most guilty miserable wretch on the face of the earth. Emile, do not drive me to death. When I ceased to love you, believe me it was not to love another. I am free from all engagement at present, Emile, for God's sake do not send my letters to papa; it will be an open rup-

ture. I will leave the house. I will die. Emile, do nothing till I see you. One word to-morrow night at my window to tell me or I shall go mad. Emile, you did love me. I did fondly, truly, love you too. Oh, dear Emile, be not so harsh to me. Will you not? But I cannot ask forgiveness—I am too guilty for that. I have deceived. It was love for you at the time made me say mamma knew of our engagement. To-morrow one word, and on Wednesday we meet. I would not again ask you to love me, for I knew you could not. But, oh, Emile, do not make me go mad. I will tell you that only myself and C. H. knew of my engagemeut to you. Mamma did not know since last winter. Pray for me—for a guilty wretch—but do nothing. Oh, Emile, do nothing. Ten o'clock to-morrow night—one line for the love of God.

Tuesday morning.

I am ill. God knows what I have suffered. My punishment is more than I can bear. Do nothing till I see you. For the love of heaven do nothing. I am mad. I am ill.

No. 107.

Tuesday evening, twelve o'clock.

Emile,—I have this night received your note. Oh, it is kind of you to write me. Emile, no one can know the intense agony of mind I have suffered last night and to-day. Emile, my father's wrath would kill me—you little know his temper. Emile, for the love you once had for me, do not denounce me to my P. Emile, if he should read my letters to you he will put me from him—he will hate me as a guilty wretch. I loved you, and wrote to you in my first ardent love—it was with my deepest love I loved you. It was for your love I adored you. I put on paper what I should not. I was free because I loved you with my heart. If he or any other one saw those fond letters to you, what would not be said of me. On my bended knees I write you, and ask you, as you hope for mercy at the Judgment Day, do not inform on me—do not make me a public shame. Emile, my love has been one of bitter disappointment. You, and only you, can make the rest of my life peaceful. My own conscience will be a punishment that I shall carry to my grave. I have deceived the best of men. You may forgive me, but God never will. For God's love, forgive me, and betray me not. For the love you once had to me do not bring down my father's wrath on me. It will kill my mother (who is not well). It will for ever cause me bitter unhappiness. I am humble before you, and crave your mercy. You can give me forgiveness, and you, oh you only, can make me happy for the rest of my life. I would not ask you to love me, or ever make me your wife. I am too guilty for that. I have deceived and told you too many falsehoods for you ever to respect me. But, oh! will you not keep my secret from the world? Oh! will you not, for Christ's sake, denounce me? I shall be undone. I shall be ruined. Who would trust me? Shame will be my lot. Despise me, hate me, but make me not the public scandal. Forget me for ever. Blot out all remembrance of me. I have . . . . you ill. I did love you, and it was my soul's ambition to be your wife. I asked you to tell me my faults. You did so, and it made me cool towards you gradually. When you have found fault with me I have cooled. It was not love for another, for there is no one I love. My love has all been given to you. My heart is empty, cold; I am unloved, I am despised. I told you I had ceased to love you—it was true. I did not love you as I did; but, oh! till within the time of our coming to town, I loved you fondly. I longed to be your wife. I had fixed February. I longed for it. The time I could not leave my father's house. I grew discontented; then I ceased to love you. Oh, Emile, this is indeed the true statement. Now you can know my state of mind. Emile, I have suffered much for you. I lost much of my father's confidence since that September; and my mother has never been the same to me. No, she has never given me the same kind look. For the sake of my mother, her who gave me life, spare me from shame. Oh, Emile, will you, in God's name, hear my prayer? I ask God to forgive me. I have prayed that he might put in your heart to spare me from shame. Never, never, while I live can I be happy. No, no, I shall always have the thought I deceived you. I am guilty; it will be a punishment I shall bear to the day of my death. I am humbled thus to crave your pardon. But I dare not. While I have breath I shall ever think of you as my best friend, if you will only keep this between ourselves. I blush to ask you. Yet, Emile, will you not grant me this my last favour?—if you will never reveal what has passed. Oh, for God's sake, for the love of Heaven, hear me. I grow mad. I have been ill, very ill, all day. I have had what has given me a false spirit. I had resource to what I should not have taken, but my brain is on fire. I feel as if death would indeed be sweet. Denounce me not. Emile, Emile, think of our once happy days. Pardon me if you can; pray for me as the most wretched, guilty, miserable creature on the earth. I could stand anything but my father's hot displeasure. Emile, you will not cause my death. If he is to get your letters I cannot see him any more; and my poor mother, I will never more kiss her. It would be a shame to them all. Emile, will you not spare me this? Hate me, despise me, but do not expose me. I cannot write more. I am too ill to night.

P.S.—I cannot get to the back stair. I never could see the . . . to it. I will take you within in the door. The area-gate will be open. I shall see you from my win-

dow at twelve o'clock. I will wait till one o'clock.

No. 109; postmark, 'Glasgow, 14 Feb., 1857':—

Saturday.

My Dear Emile,—I have got my finger cut, and cannot write, so dear, I wish you would excuse me. I was glad to see you looking so well yesterday. I hope to see you very soon. Write me for Thursday, and then I shall tell you when I can see you. I want, the first time we meet, that you will bring me all my cool letters back—the last four I have written—and I will give you others in their place. Bring them all to me. Excuse me more just now. It hurts me to write; so, with kindest and dearest love, ever believe yours with love and affection. M.

No. 111.

Dearest Sweet,—Emile, I am so sorry to hear you are ill. I hope to God you will soon be better. Take care of yourself. Do not go to the office this week, just stay at home till Monday. Sweet love, it will please me to hear you are well. I have not felt very well these two last days—sick and headache. Every one is complaining: it must be something in the air. I cannot see you on Friday, as M. is not away, but I think on Sunday P. will be away, and I might see you, I think, but I will let you know. I shall not be at home on Saturday, but I shall say, sweet love, and give you even if it should be a word. I cannot pass your windows, or I would, as you ask me to do it. Do not come and walk about, and become ill again. You did look bad on Sunday night and Monday morning. I think you got sick with walking home so late, and the long want of food, so the next time we meet, I shall make you eat a loaf of bread before you go out. I am longing to meet again, sweet love. We shall be so happy. I have a bad pen—excuse this scroll—and B. is near me. I cannot write at night now. My hand aches so, and I am looking so bad that I cannot sit up as I used to do; but I am taking some stuff to bring back the colour. I shall see you soon again. Put up with short notes for a little while. When I feel stronger you shall have long ones. Adieu, my love, my pet, my sweet Emile. A fond, dear, tender love, and sweet embrace. Ever, with love, yours, Mimi.

No. 113; postmark, 'Glasgow, Feb. 27, 1857':—

My Dear, Sweet Emile,—I cannot see you this week, and I can fix no time to meet with you. I do hope you are better. Keep well, and take care of yourself. I saw you at your window. I am better, but have got a bad cold. I shall write you, sweet one, in the beginning of the week. I hope we may meet soon. We go, I think, to Stirlingshire, about the 10th March, for a fortnight. Excuse this short note, sweet love. With much fond tender love and kisses; and believe me to be yours, with love, Mimi.

No. 115; postmark, 'Glasgow, 3d March 1857':—

My Dearest Emile,—I hope by this time you are quite well, and able to be out. I saw you at your window, but I could not tell how you looked—well, I hope. I am very well. I was in Edinburgh on Saturday to be at a luncheon of forty at the Castle. It was a most charming day, and we enjoyed our trip very much. On Friday we go to Stirling for a fortnight. I am so sorry, my dearest pet, I cannot see you ere we go—but I cannot. Will you, sweet one, write me for Thursday, eight o'clock, and I shall get it before two o'clock, which will be a comfort to me, as I shall not hear from you till I come home again. I will write you; but, sweet pet, it may only be once a week, as I have so many friends in that quarter. B. is not going till next week; M., P., J., and I, on Friday. B. goes to the ball next week. I am going to a ball in Edinburgh the end of next week, so cannot go to both, and I would rather go to the one in Edinburgh. I have not seen you all this week—have you been passing? What nasty weather we have have had. I shall see you very soon, when I get home again, and we shall be very happy, won't we, sweet one? as much so as the last time—will we, my pet? I hope you feel well. I have no news to give you. I am very well; and I think the next time we meet you will think I look better than I did the last time. You won't have a letter from me this Saturday, as I shall be off; but I shall write the beginning of the week. Write me for Thursday, sweet love; and, with kind love, ever believe me to be yours, with love and affection, Mimi.

No. 117; postmark; 'Glasgow, 4th March 1857':—

Dearest Emile,—I have just time to write you a line. I could not come to the window, as B. and M. were there, but I saw you. If you would take my advice, you would go to the South of England for ten days; it would do you much good. In fact, sweet pet, it would make you feel quite well. Do try and do this. You will please me by getting strong and well again. I hope you won't go to B. of Allan, as P. and M. would say it was I brought you there, and it would make me to feel very unhappy. Stirling you need not go to, as it is a nasty, dirty, little town. Go to the Isle of Wight. I am exceedingly sorry, love, that I cannot see you ere I go. It is impossible, but the first thing I do on my return will be to see you, sweet love. I must stop, as it is post time. So adieu with love and kisses, and much love. I am, with love and affection, ever yours,

Mimi.

No. 119 was objected to by the Dean, being only a copy taken by a press—and was reserved.

No. 121 :—

MY DEAR SWEET PET,—I am so sorry you should be so vexed. Believe nothing, sweet one, till I tell you myself. It is a report I am sorry about, but it has been six months spoken of. There is one of the same kind about B. Believe nothing till I tell you, sweet one of my heart. I love you, and you only. Miss A. only supposed, M. never told her. But we have found out that Miss A. is very good at making up stories. Miss A. asked me if it was M. gave me the trinket you saw, and I told her no. My sweet love, I love you, and only wish you were better. We shall be home about the 17th, so I shall see you about that time. I wish, love, you could manage to remain in town till we come home, as I know it will be a grand row with me if you are seen there. Could you, sweet love, not wait, for my sake, till we come home? You might go the 20th or so. I would be so pleased with you if you can do this to please me, my own dear husband. I shall be very glad to meet you again, and have as happy a meeting as the last. I have quarrelled with C. H. just now, so cannot see you to-night. I shall write you to-night. Neither M. nor his sisters go with us. Only M., B., J., and I go to-morrow, P. on Saturday night. I have only been in M.'s house once, and that was this week, and I was sent a message because M. could not go herself. I will tell and answer you all questions when we meet. Adieu, dearest love of my soul, with fond and tender embraces. Ever believe me, with love and kisses, your own fond, dear, and loving MIMI.

The LORD ADVOCATE argued that No 119 should be read, because it was proved by its contents, taken in connection with Nos. 117 and 121.

The Court then rose for consulation, and on their return, Lord IVORY stated at some length the grounds on which he held the letter to be receivable — although the jury must judge whether or not the letter was actually received.

Lord HANDYSIDE concurred with Lord Ivory. He regarded the document as intimately connected with other documents already read. It was a full and complete letter, having a date and a signature. It had been copied by a copying press, and therefore he inferred its despatch; while its receipt was proved by the fact that in a subsequent letter various questions asked in it were replied to.

The LORD JUSTICE-CLERK differed from the other judges, because there was no separate and independent proof that the document had been despatched or received by the prisoner; but he regarded it as of little importance whether it went to the jury or not, as the points referred to in it were covered by No. 121.

No. 119.

Glasgow, March 5th, 1857.

MY DEAR SWEET PET MIMI,—I feel, indeed, very vexed that the answer I received yesterday to mine of Tuesday to you should prevent me from sending you the kind letter I had ready for you. You must not blame me for this; but really, your cold, indifferent, and reserved notes, so short, without a particle of love in them (especially after pledging your word you were to write me kindly for those letters you asked me to destroy), and the manner you evaded answering the questions I put to you in my last, with the reports I hear, fully convince me, Mimi, that there is foundation in your marriage with another. Besides, the way you put off our union till September, without a just reason, is very suspicious. I do not think, Mimi, dear, that Miss Anderson would say your mother told her things she had not; and really, I could never believe Mr Houldsworth would be guilty of telling a falsehood for mere talking. No, Mimi, there is foundation for all this. You often go to Mr M.'s house, and common sense would lead any one to believe, that if you were not on the footing reports say you are, you would avoid going near any of his friends. I know he goes with you, or at least meets you in Stirlingshire. Mimi, dear, place yourself in my position, and tell me, am I wrong in believing what I hear. I was happy the last time we met—yes, very happy. I was forgetting all the past, but now it is again beginning. Mimi, I insist on having an explicit answer to the questions you evaded in my last. If you evade answering them this time, I must try some other means of coming to the truth. If not answered in a satisfactory manner, you must not expect I shall again write you personally, or meet you when you return home. I do not wish you to answer this at random; I shall wait for a day or so if you require it. I know you cannot write me from Stirlingshire, as the time you have to write me a letter is occupied in doing so to others. There was a time you would have found plenty of time. Answer me this, Mimi—Who gave you the trinket you showed me? is it true it was Mr Minnoch? And is it true that you are directly or indirectly engaged to Mr Minnoch, or to any one else but me? These questions I must know. The doctor says I must go to the Bridge of Allan. I cannot travel 500 miles to the Isle of Wight and 500 back. What is your object in wishing me so very much to go south? I may not go to the Bridge of Allan till Wednesday. If I can avoid going I shall do so for your sake. I shall wait to hear from you. I hope, dear, nothing will happen to check the happiness we were again enjoying,—May God bless you, pet; and, with fond and tender embraces, believe me, with kind love, your ever affectionate husband, EMILE L'ANGELIER.

No. 121 was then again read.

No. 123; postmark, 'Bridge of Allan, 16 March, 1857' (reached Glasgow 5.30 P.M.):—

My own Best-loved Pet.—I hope you are well. I am very well, but it is such a cold place, far colder than in town. I have never been warm since I came here. There are very few people, that we know staying in the village. Have you ever been here, my own dear little pet? I hope, sweet one, it may make you feel well and strong again, and that you will not again be ill all the summer. You must try and keep well for my sake; will you, will you, my own dear little Emile? You love me, do you not? Yes, Emile, I know you do. We go to Perth this week to see some friends. I am going to Edinburgh the end of this month. B. will, I think, go too. I saw you pass the morning we left, and you, little love, passed the front-door, but you would not look up, and I did not know where you were going to. We shall be home Monday or Tuesday. I shall write you, sweet love, when we shall have an interview. I long to see you—to kiss and embrace you, my only sweet love. Kiss me, sweet one, my own dear, sweet, little pet. I know your kindness will forgive me if I do not write you a long letter; but we are just going to the train to meet friends from the north. So I shall conclude with much love, tender embraces, and fond kisses. Sweet love, adieu. Ever, with love, yours. Mimi.

No. 125; postmark, 'Bridge of Allan, 13th March 1857' (reached Glasgow, 10.45 same night):—

Dearest and Beloved,—I hope you are well. I am very well, and anxious to get home to see you, sweet one. It is cold, and we have had snow all the week, which is most disagreeable. I feel better since we came here. I think we shall be home on Tuesday, so I shall let you know, my own beloved sweet pet, when we shall have a dear, sweet interview, when I may be pressed to your heart, and kissed by you, my own sweet love. A fond tender embrace; a kiss, sweet love. I hope you will enjoy your visit here. You will find it so dull; no one here we know, and I don't fancy you will find any friends, as they are all strangers, and don't appear nice people. I am longing to see you, sweet one of my heart, my only love. I wish we had not come here for another month, as it would have been so much nicer; it would then be warm. I think if you could wait a little, it would do you more good; but you know best when you can get away. Adieu, my only love, my own sweet pet. A kiss, dear love, a tender embrace, love and kisses. Adieu, ever yours, with love and fond kisses. I am ever yours, Mimi.

Nos. 127, letter of deceased to Mr Kennedy; 129, letter to Mr Kennedy; and 131, French letter to Mr Thuau—were given in—having been previously read in the course of examination of witnesses.

No. 133; postmark, 'Stirling, 16th March 1857':—

My Dearest William,—It is but fair after your kindness to me, that I should write you a note. The day I part from friends I always feel sad; but to part from one I love, as I do you, makes me feel truly sad and dull. My only consolation is that we meet soon again. To-morrow we shall be home. I do so wish you were here to-day. We might take a long walk. Our walk to Dunblane I shall ever remember with pleasure. That walk fixed a day on which we are to begin a new life—a life which I hope may be of happiness and long duration to both of us. My aim through life shall be to please and study you. Dear William, I must conclude, as mamma is ready to go to Stirling. I do not go with the same pleasure as I did the last time. I hope you got to town safe, and found your sisters well. Accept my warmest, kindest love, and ever believe me to be yours with affection, Madeleine.

No. 135, a French memorandum of L'Angelier's address at Bridge of Allan; and 139, envelope addressed to 'M. L'Angelier, Post-Office, Stirling.'

No. 137, envelope; postmarks, 'Glasgow, 19th March, 1857;' and 'Stirling, 20th March, 9.0 A.M.,' addressed to M. L'Angelier at Glasgow.

No. 141; posted at Bridge of Allan, 20th March:—

Dear Mary,—I should have written to you before, but I am so lazy in writing when away from my ordinary ways. I feel much better, and I hope to be home the middle of next week. This is a very stupid place, very dull. I know no one; and besides it is very much colder than Edinburgh. I saw your friends at Portobello, and I will tell you about them when I see you. I should have come to see some one last night, but the letter came too late, so we are both disappointed. Trusting you are quite well, and, with kind regards to yourself and sister, believe me, yours sincerely, P. Emile L'Angelier.

I shall be here till Wednesday.

No. 143, letter to Mr Stevenson from Bridge of Allan, formerly read.

No. 145, letter to Mr Kennedy from Bridge of Allan, formerly read, postmark, 'Bridge of Allan, 20th March.'

No. 147, letter from Mr Stevenson to M. L'Angelier, posted at Glasgow, 21st March 1857, at night, and reached Bridge of Allan 9 A.M. next morning.

No. 149, letter from the panel to L'Angelier at his lodgings, Glasgow, with postmark 'Glasgow, March 21, 1857':—

Why, my beloved, did you not come to me? Oh, my beloved, are you ill? Come to me. Sweet one, I waited and waited for you, but you came not. I shall wait again to-morrow night—same hour and arrangement. Oh, come, sweet love, my own dear love of a sweetheart. Come, beloved, and clasp me to your

heart; come, and we shall be happy. A kiss, fond love. Adieu, with tender embraces. Ever believe me to be your own ever dear, fond MIMI.

No. 153—Envelope only, posted at Glasgow, March 21, 1857; reached the Bridge of Allan early on the morning of the 22d March; addressed, 'M. L'Angelier, Post Office, Bridge of Allan.'

The LORD ADVOCATE put in three Edinburgh almanacs; and then proposed to read the memoranda in L'Angelier's pocket-book, from 16th February to 14th March 1857. He maintained that he had already laid a sufficient foundation for these memoranda. It was proved that they were in L'Angelier's own handwriting, and he submitted that these were statements by himself of what he did on those days.

Mr YOUNG said the book was tendered to prove that the matters entered did occur in point of fact; but this was not a book regularly kept, and the corroborative evidence was not sufficient, while one entry on 22d February was actually contradicted by the witnesses examined.

The SOLICITOR-GENERAL and the DEAN of FACULTY were then heard on the point. The Dean referred to one of the entries of 5th March, 'Saw Mimi; gave her a note, and received one,' and argued that this entry was contradicted by the letter No. 119, which had already been put in evidence.

The Court retired to consider the point, and on their return

The LORD JUSTICE-CLERK said they wished to take more time to decide upon it, and that they would be glad if either party could assist them with authorities by Monday.

The LORD ADVOCATE said he had other evidence which he could not adduce till this point was disposed of. If the memorandum-book was received he should be ready to close. His Lordship then stated that he had included in the list of witnesses all the members of Miss Smith's family. He did not propose to examine them, for very plain and obvious reasons. There were questions which it was important to ask them, but he thought it was only right that he (the Lord Advocate) should not put them in the witness box. If, however, his learned friend on the other side wished that he should do so, as part of the Crown case, he was quite ready now to call them.

The LORD JUSTICE-CLERK—That course is open to the prisoner.

The DEAN OF FACULTY—And that course I shall follow.

In consequence of the severe illness of a relative of one of the jurymen, the Court permitted him to visit her to-morrow, under charge of the clerk, Mr Neaves.

The LORD ADVOCATE stated that if the memorandum-book was received, the case for the Crown would close with the evidence of Mrs Anderson, who had been taken so unwell that she had been unable to attend. If she were able to attend, he would examine her on Monday morning. That would be the whole case for the Crown, unless, as he had said, that document was rejected.

The DEAN of FACULTY suggested that the Lord Advocate should give him some idea what he would do in the event of the document being rejected.

The LORD ADVOCATE, in reply, said he was afraid he could not do so now, but he would communicate with his learned friend.

In reply to a juryman,

The DEAN of FACULTY said that he could not undertake to say that the case would be closed before Wednesday.

The LORD JUSTICE-CLERK remarked that, in a case of such importance, he could not be expected to go on with his charge immediately after the speeches on both sides were concluded.

The Court then adjourned till Monday at ten o'clock.

SIXTH DAY.—Monday, July 6, 1857.

The Court met this morning at ten o'clock, and proceeded to decide on the admissibility of the memorandum-book of the deceased L'Angelier.

The Lord Justice-Clerk and Lord Handyside held that it was not admissible, Lord Ivory was of a different opinion.

The LORD JUSTICE-CLERK said he did not know that any point of greater importance ever occurred in any criminal trial; and the Court were in this unfortunate position in one respect, that they had no assistance from any authorities. The admission of hearsay evidence was an established rule in the law of Scotland, but under those restrictions and conditions which he had occasion fully to state in the case of Gordon—restrictions and conditions which went in many circumstances to the entire rejection of the evidence. What was now proposed to be admitted was this—certain memoranda or jottings made by the deceased, in which certain things were said to be contained, which went directly to the vital part of this charge. The Dean of Faculty felt that so strongly that he did not scruple to state what the purport of one of these was, in order to show the immense materiality of the point. It was certainly most important for the Court to take care that the rules of evidence were not relaxed merely because it appeared that the matter tendered was of the highest importance in the case. Before evidence could be received and allowed to go to a jury, it must be shown that such evidence was legally competent to be tendered against the prisoner. That was the rule also in civil cases. It was of vital importance in considering whether this evidence was admissible, to ascertain in what circumstances, and, if possible, from what motive, and at what period, these entries were made. Now, it was a most remarkable fact that there was no entry regarding the prisoner, or the circumstances connected with the prisoner, before the 11th of February, and at that very time the purpose on her part of breaking off the engagement with him and of demanding back her letters had been communicated to the deceased; and his purpose and resolution not to give up the letters, and to keep her to her engagement, were avowed and made known, as it appeared from the evidence prior to that date. Then he had a purpose in writing these memoranda—a purpose, obviously, to endeavonr to strengthen his hold over the prisoner, not only by refusing to give up the letters at that time and afterwards, but probably with the view to hold out that he had a diary as to their interviews and communications, so as to endeavour to effect his object of preventing the marriage, and of terrifying her into giving up her engagement with Mr Minnoch. He (the Lord Justice-Clerk) made this observation not merely with regard to the weight and credibility of these entries, but with regard to their admissibility, because in the case of hearsay evidence one could ascertain from the witnesses the time the statement was made, all the circumstances and all the apparent motives which could be collected as to the statement being made by the deceased. But when we could not know with certainty the motive with which the man made the entry, or, perhaps, as in this case, could perceive reasons why he made the entry as against her, intending to prejudice her in one way, not, of course, with reference to the prospect of such a trial as this, but with reference to her engagement, he thought it could not be said that this came before the Court as a statement recorded by him as to indifferent matters, or as to matters in which he might have had a strong purpose in making the statement. Further, it might be a record of a past act. He felt the force of what the Lord Advocate had so forcibly stated, that supposing in this book there had been an entry that this man had purchased arsenic, would not that have been available in favour of the prisoner. An illustration of this point had been suggested to his mind by a person whose authority and experience were of the very highest: take an action of divorce against the wife where the paramour was dead; would an entry in any diary of his that he had enjoyed the embraces of this woman in her husband's absence on such a night be proof against the wife? He thought not. What was proposed in this case was to tender in evidence a thing altogether unprecedented according to the research of the bar and bench, of which no trace or indication occurred in any book whatever—viz., that a memorandum made by the deceased should be proof of a fact against the panel in a charge of murder. He was unable to admit such evidence: it might relax the sacred rules of evidence to an extent that the mind could hardly contemplate. One could not tell how many documents might exist and be found in the repositories of a deceased person, a man might have threatened another, he might have hatred against him, and be determined to revenge himself, and what entries might he not make in a diary for this purpose? He had a faint recollection of a case in 1808—the trial of a man Patch for murdering Page, or of a man Page for murdering Patch—in which some letter of

the murdered man, prior to his death, was used; but he had been unable to find the case, and he had no notion if it was of the character he had alluded to. However, in the meantime, as the point was perfectly new, and as it would be a departure from what he considered to be an important principle in the administration of justice, he thought this evidence could not be received.

Lord HANDYSIDE, in giving his opinion, said—We are asked to receive as evidence for the Crown a pocket-book containing an almanac or diary for 1857, in which certain entries are made opposite to certain days of the week, from February 11 to March 14. I mention these extreme dates, first, because they include the period of the only entries in the diary—the entries not beginning with the commencement of the year; and, second, because the period during which the entries are made has reference only to the first and second charges in the indictment. The third charge, as to time, is subsequent to the entries ceasing to be made. The special point is, whether the entries of certain dates—two in number—are to be read, and made evidence for the prosecution, as regards the first and second charges in the indictment. The whole of the entries have been written with a lead pencil. I notice this to make the observation that ink and penmanship afford to a certain degree a means of ascertaining whether entries are made *de die in diem*, thus having the character of entries *made daily;* or, on the contrary, of several entries having the appearance, by change of ink or of pen, of being made at one time, and so from after recollection. Where all the entries are in pencil, there can be no security as to the time when the entries are, in point of fact, inserted, and that they are not *ex post facto;* or that the original entries have not been expunged, and others substituted in their place—whether this be in correction of memory, with purpose and design of another character. The party making such entries in pencil has entire power over what he has done or chooses to do. But, waving this peculiarity in the present case, the general point is presented for determination, whether memorandums of a deceased person, setting forth incidents as having occurred of particular dates, and connected with the name of an individual, are admissible as evidence to support a charge in a criminal case! So far as my knowledge goes, this is a new point. We have received no assistance from the bar by reference to any authority either direct or illustrative. No case has been cited to us bearing upon the subject. And having taken some pains myself to search for authority and precedent, I have been unsuccessful in finding either to guide us. If the fact be so, undoubtedly it is a circumstance on which the objector to the admission of the evidence is entitled to found, as shifting from him to the prosecutor the burden of showing that such evidence ought to be received. I think the question is one of great difficulty—at least I have found it to be so. Had the writer of the memorandums been living, they could not have been made evidence—of themselves they were nothing. They might have been used in the witness-box to refresh the memory, but the evidence would still be parole. What would be regarded would be the oath of the witness to facts, time, and person, and if distinct and explicit, though resting on memory alone, the law of evidence would be satisfied, irrespective of any aid by memorandums or letters, though made at the time. It is the oath of the witness to the verity of his oral statement in the box which the law requires to regard. But if the writer has died, is this circumstance to make such memorandums thenceforward admissible as evidence by their own weight? Are they, the handwriting being proved, to be treated as written evidence? That would be a bold proposition. Death cannot change the character originally impressed upon memorandums, and convert them from inadmissible into admissible writings. They are private memorandums, seen by no eye but the writer's. As such, subject to no check upon the accuracy of their statements, whether arising from innocent mistakes or from prejudice or passing feeling. I do not say that they are to be supposed to be false and dishonest, for the idea is repugnant from the consideration that it would be idle to falsify and invent when memorandums are intended to be kept secret by the writer. But it is quite conceivable that vanity might lead to statements being made wholly imaginary, with a view to the subsequent exhibition of the book, and were its admissibility as evidence set up by death, it might become a fearful instrument of calumny and accusation. I speak first now of private memorandums, diaries, and journals, taken in the abstract. As to other writings of a deceased person, such as letters, I do not say these may not become admissible as evidence by reason of death, though during life they could not be used. But here the principle suggests itself that these writings have been communicated before death to at least another person. They thus become analogous to words spoken—to representations made and conversations held by a deceased person, the proper subject of hearsay evidence. It was contended that the principle on which hearsay evidence is admitted should extend to anything written by a deceased person. It is assumed to be a declaration in writing of what if spoken would have been admissible on the testimony of the person hearing it. And on a first view it would seem that the written mode is superior to the oral, from the greater certainty that no mistake is committed as to the words actually used. But this would be a fallacious ground to rest on, for words written would require

to be taken as they stand, without explanation or modification; whereas words spoken to another are subject to the further inquiry by the party addressed as to the meaning of the speaker, and to a sort of cross-examination, however imperfect, to which the hearer may put the speaker in order to a better or thorough understanding of the subject of communication, the object of making it, and the grounds on which the speaker's statements rest. And all these things may be brought out in the examination of the witness who comes into Court to give his hearsay evidence. The value of hearsay evidence, and the weight to be given to it comes thus to depend much on the account which the witness gives of the circumstances under which the communication was made to him—as to the seriousness of the statement and what followed upon it in the way of inquiry and reply. Now a mere writing in the way of memorandum or entry in a book in the sole custody of the writer till his death can be subject to no such tests. Its very nature shows that it is not intended for communication. It may be an idle, purposeless piece of writing; or it may be a record of unfounded suspicions and malicious charges, treasured up by hostile and malignant feelings in a moody, spiteful mind. These views impress me strongly with the danger of admitting a private journal or diary as evidence to support a criminal charge. I think the question now before us must be decided as a general point. As such I take it up. If I were to confine myself to the special and peculiar circumstances of the case, I should see much to vindicate the Court in the reception of the evidence tendered. There is to be found in the letters which have been already made evidence much to give corroboration or verification to some at least of the entries in the pocket-book. But I feel compelled to close my mind against such considerations, and to look above all to a general and, therefore, safer rule by which to be guided. I have come, therefore, to be of opinion that the production tendered as evidence in the case in support, as I take it, of the first and second charges, ought to be rejected.

Lord IVORY said the opinions which had just been given had relieved his mind of a burden of responsibility under which he had laboured, and which he was ill able to bear. He had given the most anxious, serious, and repeated consideration to this matter. He had found little or nothing in the way of authority, and no dicta so precisely bearing on this case as to be of any avail. But, judging in the abstract, applying the rules as applied to other cases, endeavouring to find a principle, by comparison of the different classes and categories, in which evidence had been distributed and in which evidence had been received, he felt himself totally unable to come to a conclusion that the evidence of this document should be excluded from the jury. As his opinion could not in the least degree influence the judgment, he should be sorry to add anything that should even seem to be intended to detract from the authority of that judgment now given; least of all should he be disposed to follow such a course in a capital case, where the judgment was in favour of the prisoner. He would content himself, therefore, with simply expressing his opinion. It appeared to him that this document should have been admitted *valeat quantum*, and that the jury should have considered its weight, and credibility, and value.

The LORD ADVOCATE then put in evidence the following portion of letter No. 79, viz.:—

Monday.

If P. and M. go, will you not, sweet love, come to your Mimi? Do you think I would ask you if I saw danger in the house? No, love, I would not. I shall let you in; no one shall see you. We can make it late—twelve, if you please. You have no lone walk. No, my own beloved. My sweet dear Emile. Emile, I see your sweet smile. I hear you say you will come and see your Mimi, clasp her to your bosom, and kiss her, call her your own pet, your wife. Emile, will you not refuse me. . . . I need not wish you a merry Christmas, but I shall wish that we may spend the next together, and that we shall then be happy.

Mrs Janet Anderson, examined by the LORD ADVOCATE—I am acquainted with the prisoner. I recollect meeting her at a party in my house on the 5th February. I met her also at a party at Mrs Wilkie's shortly before she was at my house. She had a necklace on. I asked her from whom she had got it? She said she had got it from papa. I asked if she had got it from Mr Minnoch; and she denied that. I don't recollect if I spoke of this to anybody; I may have mentioned that I thought she got it from Mr Minnoch.

The LORD ADVOCATE then intimated that this closed the case for the Crown.

EXCULPATORY EVIDENCE.

The DEAN of FACULTY stated that in the course of the examination of some of the first witnesses reference would be made to affairs of some little delicacy, in which L'Angelier had been engaged in some previous part of his life; but he was extremely unwilling to drag names before the public in this examination, and he hoped his learned friend the Lord Advocate would assist him in this.

Robert Baker, examined by Mr YOUNG—I am a grocer at St Helen's, Jersey. I lived in Edinburgh at one time, and acted as waiter in the Rainbow Tavern. When there I was acquainted with L'Angelier. That was in 1851. He lived in the Rainbow between six and nine months, as far as I recollect. He was there until the time he went to Dundee. He and I slept together. The tavern was kept at that time by an uncle of mine, Mr George Baker. L'Angelier's circumstances were then very bad; he was living on Mr Baker's bounty; he was waiting there till he got a situation. I took him to be a quiet sort of person. I did not know much of his ways. I

was not much out with him. He was very easily excited. He was at times subject to low spirits; I have seen him crying often at night. Latterly, before he went to Dundee he told me he was tired of his existence and wished himself out of the world; he said on more than one occasion. I remember on one occasion he got out of bed and went to the window and threw it up. I rose out of bed and went to him, and he said that if I had not disturbed him, he would have thrown himself out. The windows of the Rainbow are about six stories from the ground—the height of the North Bridge, indeed. He was in the habit very often of getting up at night, and walking up and down the room in an excited state, weeping very much. I happened to know that he had at that time met with a disappointment in a love matter. He did not tell me so himself, but I heard my uncle talk of it. I heard L'Angelier speak to other people about it. It was about some lady in Fife.

Mr Young—You need not mention names. I think we shall be able to speak of her as the lady in Fife.

Examination continued—He was in distress about not having a situation, in order to enable him to keep to his engagement with her. I did not see him weeping on that subject. When he said he would have thrown himself over the window on the occasion I have spoken of, he was not crying; he was very cool and collected, and did not seem at all excited or agitated when I spoke to him. I thought he was in earnest; he had talked about it so often before. We were in the habit of taking walks together in the morning before business began. We have walked to Leith Pier; when there, he said he had a great mind to throw himself over one morning, because he was quite tired of his existence. I have seen him reading newspaper accounts of suicide; and I have heard him say that here was a person who had the courage that he should have had; that he wished he had the same courage, or something to that effect.

Cross-Examined by the Lord Advocate—I believe he was a Jersey man; I met him in Jersey once before I was in the Rainbow. He did not come there because I had seen him in Jersey. He had been living in Edinburgh before I saw him. I had seen him on a visit to Jersey.

By the Lord Justice-Clerk—I saw him in Jersey in 1846, I think.

By Mr Young—I received this letter (No. 1 of prisoner's inventory) from L'Angelier at Dundee. It has no date; it was shortly after he left the Rainbow. In this letter he says, "I never was so unhappy in my life; I wish I had the courage to blow my brains out."

Wm. Pringle Laird, examined by Mr Young—I am a nurseryman in Dundee. I was acquainted with the late Emile L'Angelier. I knew him when in the service of Dickson & Co., Edinburgh, about 1843. In 1852 I took him into my own employment in Dundee. He had been away from the Dicksons before that, and had been in France. He came to me between the 12th and 26th January 1852—on Old Handsel Monday. He remained till the end of August or the 1st of September. He was a very sober young man, and very kind and obliging; rather excitable and changeable in his temper, and sometimes very melancholy and sometimes very blythesome. When he came to me in January he had a cold; he was unwell and very dull. He did not tell me at first, but shortly after he told me of a cross in love that he had got. He assisted me in the seed-shop chiefly; sometimes he wrought at light work in the nursery too. It was a fortnight or a month after he came that he said he had been crossed in love. He told me it was reported the girl was to be married to another, but that he could scarcely believe it, because he did not think she could take another. I understood that that was because she was pledged to him. He told me who she was. [Mr Young—I don't want her name.] I believe she was in the middle station of life. After this I saw her marriage in the newspapers. I got a letter from my brother in Edinburgh, asking if L'Angelier had seen in an Edinburgh newspaper—in the *Scotsman*—a notice of the marriage. L'Angelier did see that notice. I know William Pringle; he was my apprentice at the time. Either Pringle or some other apprentice told me of something L'Angelier had done about that which led me to speak to him. I told him I was sorry to see him so melancholy and sad, that I was still more so to hear that he had taken up a knife to stab himself. He was very little, and was very dull. I said what I could to soothe him. He said he was very miserable, and that he wished he was out of the world, or words to that effect. He was in a very melancholy state after this. He was gloomy and moody, and never spoke to any one. I had frequent conversation with him—several times every day.

Mr Young—From these conversations, and all you had seen of him, did you think he had any religious principle about him to deter him from committing suicide?

Witness—He attended church regularly, but did not show anything particular about religion. But he was very moral, so far as I know.

Examination continued—He often told me of being in France during the Revolution of 1848. He said he was in Paris at that time. He told me he was engaged in the Revolution; he said he was a member of the National Guard. He was rather a vain man. I don't recollect his wages with me; he came to me as an extra hand when he was out of employment. I said I would give him bed and board and something more; and I think he got bed and board and 8s or 10s a week.

William Pringle, examined by Mr Young—I was in the service of Mr Laird in Dundee in 1852. I knew L'Angelier there. We both lived in Mr Laird's house. I had frequent conversation with L'Angelier. I remember telling him that I had heard of a certain marriage in the newspapers. I said so in the shop. I said that such a lady was married, and he seemed very much agitated.

Mr Young—How did his agitation show itself?

Witness—He ran once or twice behind the counter; then he took hold of the counter knife. He did not point it at himself, but he held it out. When I stepped forward he put it down again. I don't remember what he said. I don't think he was shedding tears. I did not observe him crying. He was particularly melancholy for some time after this occurrence. He slept with me. I was a little afraid that he might do himself some mischief.

By the Lord Justice-Clerk—I was then sixteen years of age.

Andrew Watson Smith, examined by Mr Young—I am an upholsterer in Dundee. I was acquainted with L'Angelier when he was in Laird's employment in 1852. We were pretty intimate. I was then living at Newport, on the other side of the Tay from Dundee. L'Angelier frequently visited me there, sometimes coming on a Saturday and waiting till Monday. When he did so we slept together. I had good opportunity of observing his disposition and state of mind. I thought he was a very excitable sort of character—often in very high spirits, often in very low spirits. He mentioned

a disappointment in love he had had about that time. He mentioned the lady's name. He told me they had been engaged for a number of years, and had loved each other very much; but that it had been broken off, and that he felt inclined to destroy himself. He showed me a ring he had got from the lady, with a name engraved on it. I think it was her name. He spoke of destroying himself. He seemed in a very melancholy spirit, declared he could never be happy again, and that he thought he would drown himself. I have a faint remembrance, but I am not exactly sure, that he once went to the Dean Bridge, for the purpose of throwing himself over. I am not exactly sure of that. It was because this lady had jilted him. He did not say what prevented him from throwing himself over. Self-destruction was a very frequent subject of conversation with him. I thought him serious, though I never had any serious apprehension that he would do it. That was from want of courage. It was only when in his low moods that he talked of self-destruction. He told me about having been in France at the Revolution, and he told me he felt very nervous after that, attributing it partly to the excitement of the time. He said he frequently thought he heard a noise behind him, as if a number of rats were running along. When he spoke of the lady who had jilted him he was always very excited, and once I remember him crying. He appeared to be in great grief. That was the first time he spoke of destroying himself. He talked of drowning himself.

William Anderson, examined by Mr Young—I had a nursery and seedshop in Dundee in 1852. I then became acquainted with L'Angelier. He sometimes came to my shop, and I saw a good deal of him. I had conversations with him two or three times. He was rather of a sanguine disposition; he was excitable, I think, and he had the appearance of being vain; his conversation had that character. When women were a matter of coversation he spoke much of that. He boasted of his success with ladies. I remember on one occasion, particularly in my own house at supper, he told me he was very intimate with two ladies in Dundee at the time, and that it seemed to him his attachment for them was returned, that they were very beautiful girls, and worth a considerable sum of money.

By the Lord Justice-Clerk—Did he mean to say that he had been successful in seducing them, or what?

Witness—No, my Lord, it was that he loved them, and they loved him in return. I did not put this down as a piece of bragging. I thought it was in earnest.

By Mr Young—He did boast of being successful in getting ladies attached to him; but the same subject was not always spoken of. He said he did not know very well what he would do if he was jilted, and he said something to the effect he would revenge on them in some shape or other. He was occasionally very irritable in his disposition, and on some occasions he sat quite dull, without speaking, and then he got up all at once in an excited state; that was when speaking of any particular subject, such as females His manner and disposition had more of the temperament of the French, Italians, or Spaniards.

William Ogilvie, examined by Mr Young—I am an assistant-teller in the Dundee Bank. In 1852 I was secretary to the Floral and Horticultural Society in Dundee. Numbers of the meetings of the Society were held in Laird's back-shop. In this way I became acquainted with L'Angelier. We became very intimate, and we frequently conversed together. He was variable in his spirits—very remarkably so. His general subject of conversation was ladies. He seemed sometimes vain of his success with ladies. He talked of ladies always looking at him in passing along the street, and that he had considerable success in getting acquainted with ladies. He spoke of falling in love with them. On one occasion I heard him say what he would do if he met with a disappointment. He was standing speaking in the shop about some sweethearts, and he said he would think nothing of taking up a large knife which Laird used for cutting twine, and putting it into him, suiting the action to the word. He was not speaking of any real case—he was speaking generally. He seemed to me somewhat excited. He spoke to me about having been in France, and about travelling there. He did not mention at what time he had been there. He said he was travelling, as I understood, with some person of distinction. He said he had got charge of all their luggage, carriages, and horses—and everything, in fact.

The Lord Justice-Clerk—As a courier?

Witness—He did not say that. He seemed to have a general superintendence.

Examination continued by Mr Young—He said the horses were very much knocked up and that he had given them arsenic. He was speaking in English at that time. I was not acquainted with the effects of arsenic, and when he mentioned the circumstance I was interested in it, and asked him about it. He said he gave it to them to make them accomplish the journey. I asked what effect this had. He said it made them long winded, and thus made them able to accomplish a feat. I said, was he not afraid of poisoning them? and he said, Oh no. So far from doing that, he had taken it himself. I told him I should not like to try it, and he seemed to say he had not felt any bad effects from it; that there had been no danger; or expressions to that effect. He mentioned another effect of arsenic, which was that it improved the complexion. I inferred from his remarks that he took it for that purpose. He did not exactly say so, but I understood that was one of the reasons why he took it. He also said that he complained of pains in his back, and had a little difficulty in breathing, and he said it had a good effect in that way. I am not sure he ever showed me arsenic. I rather think he did on that occasion—that he opened his desk, and showed me a paper containing something white: but he either showed it to me or said he had it. At the same time he showed me a very fine specimen of copper ore. It was that that led to the conversation about arsenic. He said he had got it in travelling, and that led to the conversation about the journey and the arsenic. I have seen him on more than one occasion eat poppy seeds in large quantities—in handfuls—in the shop. I remarked this the first occasion that I saw him. Some person had come into the shop for it, and when they went away he eat some of it. I expressed surprise, and he said that, so far from being dangerous, it was much better than filberts, and that he took it in large quantities. He said he had taken the poppy seeds in such quantities that he had got quite giddy with them. He said he had done that when he was in Dickson & Co.'s.

Cross-examined by the Lord Advocate—I first became acquainted with L'Angelier in the early part of 1852. He talked a good deal of ladies, and what he would do if he were jilted. He did not say he had been jilted. I heard of his having been jilted, but not from him. We had just one conversation about the arsenic. He did not say in what shape he took it, or in what quantity. He showed me on that occasion a fine piece of copper ore. I had begun a collection of

minerals, and he said he had a number of specimens in his lodgings, and that he would bring me a piece of it. It was in that conversation the matter of the arsenic came out. I thought poppy seeds dangerous, because opium is extracted from them.

By the LORD JUSTICE-CLERK—I can't say whether he said he had frequently given the horses arsenic or only on one day. I think he spoke of having accomplished a feat by giving it to them on one occasion. I can't say he spoke like a foreigner. I knew he was a foreigner, but he spoke remarkably good English. I think I only heard him speak French on one occasion. I am quite certain it was arsenic that he spoke of. I am sure he did not use the French word for the common here.

David Hill, examined by Mr YOUNG—I am a market-gardener in Dundee. I was in Mr Laird's employment when L'Angelier was there in 1852. Before L'Angelier came I recollect finding a small parcel on a Sunday in a wood on the north side of Dundee. I thought it was arsenic. I put it in my pocket and brought it to Dundee, and inquired about it. A party to whom I showed it supposed it to be arsenic. I don't recollect how long this was before L'Angelier came. I spoke to him about it after he came; I told him of finding it there, and he told me that was nothing strange, and that he used it regularly. I don't recollect of anything more passing. He did not say for what purpose he used it regularly. I have been trying to remember, but I can't.

By the LORD ADVOCATE—I have been trying to remember since I have been asked about this affair. I was asked about it on Saturday last. I told it to Mr Laird, my late master, and Captain Miller of Glasgow came to me. He was the Superintendent of Police at Glasgow, and he is now a messenger-at-arms. No one was with me when I spoke to L'Angelier about this; we were passing along the top of Union Street; no one heard what passed between us. He said he used it regularly; I did not inquire, and he did not say in what way.

By Mr YOUNG—I was cited as a witness on Monday, last week; I have been thinking about it since I was cited. I was examined again about it on Saturday. I heard of L'Angelier's death when it occurred; that did not recall the circumstance to my recollection; it did not come into my mind soon after; I don't recollect when it came to my recollection; but it was before last Saturday.

The LORD JUSTICE-CLERK—If you did not recollect this conversation when you heard of L'Angelier's death, what brought the conversation to your mind?

Witness—I did not recollect first about this at all.

The LORD JUSTICE-CLERK—What brought it to your recollection?

Witness—I don't recollect what it was.

The LORD JUSTICE-CLERK—Was it any conversation of others in Dundee that made you recollect this about arsenic?

Witness—No, sir.

The LORD JUSTICE-CLERK—What was it then that brought it to your recollection?

Witness—I can't answer that question; it came to my mind, and then I recollected it.

The LORD ADVOCATE—Did you recollect it before Mr Miller spoke to you?

Witness—Yes, sir.

Edward Mackie, examined by Mr YOUNG—I am a merchant in Dublin. I was in the habit of visiting Edinburgh in the course of my business. I occasionally visited the Rainbow. I got acquainted with L'Angelier there. I was intimately acquainted with Mr Baker, who kept the tavern. I first became acquainted with L'Angelier in 1846; and I continued to see him at the Rainbow to a day or so previous to his going to Dundee. I had several conversations with him. I saw quite enough of him to enable me to form an opinion of his character and disposition. I formed anything but a good opinion of him. I considered him a vain, lying fellow. He was very boastful of his personal appearance, and parties admiring him—ladies particularly. He boasted of his high acquaintances repeatedly, and the high society he had moved in; that was when he returned from the Continent, when he became more or less of a man; he was quite a lad when I first saw him. He mentioned several titled people whom he had known, but not believing anything he was saying at the time, I did not store up any of their titles. Shortly before he went to Dundee, I met him one evening in Princes Street Gardens; I could not say the date, but he went to Dundee the following day. He was sitting in the Garden; I came on him accidentally; he had his head in his cambric pocket-handkerchief, and I put my hand on him, and said "L'Angelier." He held up his head, and I perceived he had been crying; his eyes had the appearance of much weeping. He mentioned that a lady in Fifeshire had slighted him; but I made light of the matter. He made a long complaint about her family; he was much excited. He said ladies admired him very often. I remember, on one occasion particularly, he came in when I was reading the papers in the Rainbow; he told me he met a lady in Princes Street, with another lady, and she had remarked what pretty feet he had. I had said he was a rather pretty little person, and he had gone out and concocted the story that she had said she admired his feet, they were so pretty. I never believed anything he said afterwards.

The LORD JUSTICE-CLERK—Am I to understand you to say that he heard the lady say what pretty feet he had?

Witness—Yes.

By Mr YOUNG—It was a common thing for him to speak of ladies admiring him on the street.

By the LORD ADVOCATE—I live in Dublin. I have a counting-house in Dublin, at the lower quay. To a certain extent I believed the story about the Fife lady. I believed there was a lady there and that he was after her, for I had seen him weep about it.

The LORD ADVOCATE—You believed it when you saw him weep?

Witness—I believed there was a something.

Janet Christie, examined by Mr YOUNG—Some years ago I was acquainted with a Mrs Craig in St George's Road, Glasgow. She had a son in Huggins & Co.'s employment. I visited at her house. I have occasionally met L'Angelier there. I remember on one occasion hearing him say that the French ladies used arsenic to improve their complexions. This was about four years ago.

By the LORD ADVOCATE—I can't recollect on what occasion this was. I have not the slightest recollection if it was at a dinner party or an evening party or who was present.

By the LORD JUSTICE-CLERK—I thought he was rather a forward man, and full of pretension.

Alexander Miller, examined by the DEAN OF FACULTY—I am in the employment of Huggins & Co., and I was acquainted with the late M. L'Angelier. He was there before me. I remember him telling me several times that he was going to be married; about

nine months before his death he told me he intended being married at a certain time, and at other times he told me he was to be married by a certain date; these dates passed; in February, however, he told me he was to be married, and I said that this would pass like the other dates, but he affirmed it would not, and that it would take place in about three months. He told me who the lady was. This was in the beginning of February. He looked very sensitive; he was easily depressed and as easily uplifted. I don't recollect him talking to me of suicide. On one occasion he said he wished he was dead. He once said that he did not consider that there was any sin in a person taking away their own life to get out of the world, being tired of it—having lost all happiness was his expression. I objected to that, and said that as our life was not our own, we had no right to do what we chose with it. He did not acknowledge, so far as I recollect, having abandoned his opinion. When he said he wished he was dead, I had commenced to say something to him when a party came into the room and the subject dropped. I intended to remonstrate with him. He seemed to be talking nonsense; I said, you certainly don't think what you say, and he said he did. I then said, "Then you don't mean it," and he said he did. Then I was going to remonstrate with him, when some one came into the room. He seemed serious. He complained several times of having diarrhœa, and about the middle of February, about having an affection of the stomach and bowels; his eyes were watering very much. But I thought that was from the effect of cold. He had complained of attacks of diarrhœa on several occasions before that. Almost since I saw him he complained of that, but more latterly. I went to Huggins' in September 1853, and I became acquainted with him there. He appeared to receive a great many letters. I knew he had letters from some one, but not till the beginning of February did I know who they were from. He had several other female correspondents.

By the SOLICITOR-GENERAL—We had the impression that he was a young man of very regular habits. He was a worthy young man. The occasion in February to which I have alluded, when his eyes were suffused, was, I think, about the 13th. About the 19th or 20th he complained again. That was in the warehouse. He came in at one o'clock. He had not been there that day before. He came late. There was a sort of "blayish" appearance round the eyes, and there was a small red spot on his cheek. I asked what was wrong with him, and he said he was nearly dead last night. I then asked what had been the matter with him, and he said he had been rolling on the floor all night, and that he was so weak he could not call for assistance. He said he was so sick that he was like to vomit his inside out; I asked what he had vomited, and he said it was something yellow and of a bitter taste; I suggested it might be bile, and he said his landlady had suggested the same. At from four to six o'clock in the morning he said he had called for his landlady and asked for a cup of tea. I believe it was on the 19th or 20th he told me this; he said he was very much pained in his bowels and stomach. He felt very weak when speaking to me. He did not say if he had been anywhere the night before. He was not regularly in the office after that; he was almost entirely absent after that from illness.

Agnes M'Millan, examined by Mr YOUNG—I was at one time in Mr Smith's service as tablemaid. I was there for a year. It is three years previous to last May since I left. Miss Madeleine Smith was at home when I was there. The second daughter, Elizabeth, left home to go to school near London while I was in the house. I understood Miss Smith had returned from the same school some time before. On one occasion she spoke to me about arsenic. I can't remember what brought on the conversation, but I perfectly remember her saying that she believed arsenic was used for the complexion, or that it was good for the complexion—I don't recollect which. I can't tell anything more about it.

James Girdwood, examined by Mr YOUNG—I am a surgeon in Falkirk, and I have been in practice for about forty years. I have been frequently, since the publication of an article in *Chambers' Journal*, asked by females as to the use of arsenic as a cosmetic. That is about two years ago.

By the LORD ADVOCATE—Many of my friends consulted me, and I told them it would be highly injurious, and ought not to be taken.

John Robertson, examined by Mr YOUNG—I am a druggist in Queen Street, Glasgow. I remember, some time ago, of an application being made in my shop for arsenic by a man-servant. That was in the beginning of last May. A young man came in, from seventeen to nineteen years of age, and asked for 6d worth or 1s worth of arsenic. I asked him for what purpose it was to be used. He said it was for a lady who was waiting outside. I asked for what purpose, and he stated that she was going to use it for her complexion. I did not see any lady waiting outside. I did not give it.

The LORD JUSTICE-CLERK—This is very loose; it is after universal rumours were circulated about this case.

The LORD ADVOCATE (to the witness)—You did not ask his name?

Witness—No.

Peter Guthrie, examined by the DEAN—I am the manager of Fraser & Green's establishment in Sauchiehall Street. We sell arsenic among other things. I remember a lady coming to our shop and asking about the particular use of arsenic. That was in the beginning of 1856. She came into the shop alone, and produced a number of *Blackwood's Magazine*, containing an article on the use of arsenic for improving the complexion, and asked me if I had seen it. I said I had; and she asked me to give her arsenic. I declined doing so. She still expressed a strong desire to have it, but I did not give it to her.

By the LORD ADVOCATE—I did not know the lady. I had seen her several times before. There was no other customer in the shop. I mentioned it to Johnston, our senior assistant. I could not say if I did so the day it happened.

William Roberts, examined by Mr YOUNG—I am a merchant in Glasgow. I became acquainted with L'Angelier about the year 1853, and he once dined with me—on Christmas Day of that year. After dinner he became very ill; there were a few friends at dinner. When the ladies retired he got ill, and wished to leave the room. I went with him, and left him in the water-closet. I came back to the dining-room, and remained some time. I wondered why he did not come. I opened the dining-room door, and heard a groan as of some person vomiting. I went to the closet, and found him vomiting and purging. A good many gentlemen came out of the room and saw him there. I sent for cholera mixture, and gave him a good deal of it. He nearly emptied the bottle. I got very much frightened, as cholera had been in the town shortly before. He remained in the water-closet for a considerable time, and after a short time one of the gentlemen took him to his lodgings. He called on me the next day or the day after to apologise for his illness. He was a considerable time in the

water-closet; it appeared to me an hour or upwards, nearer two indeed.

By the LORD ADVOCATE—I knew L'Angelier pretty well; I always thought him a nice little fellow; he sat in the church three years; at that time I would not have hesitated to believe his word.

By the LORD JUSTICE-CLERK—I had occasion to change my opinion of him.

The LORD JUSTICE-CLERK—Why?

Witness—I have been told since his trial was talked of .....

The LORD JUSTICE-CLERK—But you don't know from your own observation

Witness—No.

Charles Baird, examined by Mr YOUNG—I am son of the late Mr Robert Baird, Glasgow. I have an uncle in Huggins & Co.'s warehouse. Through him I became acquainted with L'Angelier; I should say about two years ago. After that I frequently met with him, and went to his lodgings sometimes. I remember on one occasion finding him very unwell in his lodgings. He was then living in Franklin Place with Mrs Jenkins. I think the occasion to which I refer was either in the last fortnight of September or the first fortnight of October 1856. I went to Spain immediately after that, and it was just before I left. When I went up in the evening, he said he had returned straight from the office; he ordered some tea; he took very ill suddenly, and put his hand on his stomach, and, as it were, doubled himself up; he lay down on the sofa screaming with pain. This continued for about a quarter of an hour. I advised him to send for a medical man, and I believe he did so. He was going to bed when I left. It was about ten o'clock when I went, and about eleven when I left. I saw him on the following day between nine and ten in the morning. I asked him how he was, and he said he had had a very bad night of it; and he had sent for a medical man—I believe Dr Steven, who had been employed by him before. I remember the name Steven distinctly. He said he had vomited a great deal during the night. He has been in my mother's house—never at a party. He never met Miss Smith there to my knowledge.

By the LORD JUSTICE-CLERK—My family knew the panel.

By the LORD ADVOCATE—Mrs Jenkins was with L'Angelier on the occasion he was so ill. He said Dr Steven had seen him that evening after I left. I could not say Mrs Jenkins was present when he told me so.

By the DEAN—I remember this because it was before I went to Spain. I went there on 6th November.

By LORD HANDYSIDE—I returned on the 5th April.

Robert Baird, examined by the DEAN—I am brother of the last witness. I was acquainted with L'Angelier. I can't say when I became acquainted with him; it is not less than two years. I recollect him asking me to introduce him to Miss Smith. I cannot say how long ago that is; I think it is about two years ago. He asked me several times to introduce him, and he seemed very pressing about it. I believe I asked a gentleman to introduce them, thinking it would be better to come from him than from me, but he declined. It was my uncle that I asked. I think I then asked my mother to ask Miss Smith some evening that I might ask L'Angelier, and introduce him. She declined to do so. They certainly never met in my mother's house. I introduced them on the street. L'Angelier did not ask me to introduce him to Miss Smith's father, but he expressed an anxiety or determination to be introduced to him. When I introduced him to Miss Smith her sister was with her. I am nineteen years of age.

By the SOLICITOR-GENERAL—L'Angelier asked me to go with him once to Row, and I understood his purpose was to go and see Miss Smith. He might have said he wished to call at Rowaleyn, but I don't recollect. He frequently expressed a desire to be introduced to her father. I have been in her father's house.

Elizabeth Wallace, examined by Mr YOUNG—I keep lodgers in Glasgow, and have done so for a number of years. M. L'Angelier lodged with me for some time when he first came to Glasgow; he came in the end of July 1852 and remained till the middle of December 1853. He told me he had come to be in some mercantile office; he said he had been a lieutenant in the navy at one time. I don't know whether he meant the British or French navy. I understood it to be the British navy. He did not say he had sold his commission. He spoke of having lived in Edinburgh before he came to me. He did not say anything of being in a situation in Edinburgh; he said he had been long out of a situation. He said nothing about having been in Dundee. He told me he had been frequently in Fife; he mentioned that he knew some families there.

Mr YOUNG—The Balcarres family?

Witness—I asked if he knew that family, and he said he did, or that he had heard of them.

By the LORD ADVOCATE—He was a well-conducted young man. He kept good hours; he kept no company. One day that he came in, he said he had met an old sweatheart going on her marriage jaunt. He had a great aversion to medicine, and I never knew him take it. He was very cheerful. He played the guitar in the evenings, and sang occasionally.

Colonel Fraser, examined by Mr YOUNG—I reside at Portobello. I was not acquainted with the late M. L'Angelier. I never saw him in my life, to my knowledge. He never was in my house, and never dined with me. At the time of his death, I received a note from Mr George M'Call mentioning the fact of his death. He mentioned him as a mutual friend; but I was very much surprised at it, never having seen M. L'Angelier or Mr M'Call. There is no other Colonel Fraser in Portobello.

By the LORD ADVOCATE—There is a Captain Fraser, R.N.

Dr Charles Adams, examined by Mr YOUNG—I am an M.D. at Coatbridge. I keep a druggist's shop there. On Sunday afternoon, 22d March, I was in my shop. I remember a gentleman coming into the shop that afternoon. He asked at first twenty-five drops of laudanum, which I gave him. After he got the laudanum he asked for a bottle of soda water. I said we had no soda water, but I would give him a soda powder, which I did. He took it. This was about half-past five o'clock. I took him to be a military man; there were several about Drumpeller at the time. He wore a moustache. [Shown photograph of L'Angelier.] This has a resemblance to the person, but I could not be quite certain it is the same; it is like the gentleman. My shop was dark at the time, so I could scarcely observe, because we don't take off the shutters on Sunday. We get the light in by the glass-door. I suppose that he had on a dark brownish coat and a Balmoral bonnet. [Shown bonnet.] The bonnet was like this. I remember seeing a handkerchief sticking out of his outside breast-pocket.

By the LORD ADVOCATE—He came in as if he had left off speaking to some one at the door, but I did not observe any one. I am very seldom in the shop on the

Sunday afternoon. A girl came into the shop after he had been in—while he was there. It must have been some trifling thing she wanted—I think castor oil. I don't know who she was. I have seen military gentlemen frequently there.

The LORD ADVOCATE—Can you swear that that picture is not one of them?

Witness—I am not certain.

The LORD ADVOCATE—Is it like any of the military men that you have seen?

Witness—Not to my knowledge.

The LORD ADVOCATE—When did you first mention this fact?

Witness—Three or four weeks ago.

The LORD ADVOCATE—Who was it to?

Witness—To Mr Miller.

The LORD ADVOCATE—Was he the first person you mentioned it to?

Witness—He was.

The LORD ADVOCATE—You saw Mr Miller the first time two or three weeks ago?

Witness—Yes.

The LORD ADVOCATE—When you first saw him did you tell him this?

Witness—Yes.

The LORD ADVOCATE—Did you tell him that the man got laudanum the first time you saw him?

Witness—No, I told he had got cigars. I knew he had got some other thing besides the powder.

The LORD ADVOCATE—You recollected that afterwards?

Witness—Yes, and I wrote Mr Miller to that effect.

The LORD ADVOCATE—Tell me what made Mr Miller come to you?

Witness—I did not know his object.

The LORD ADVOCATE—What questions did he put when he first came?

The LORD JUSTICE-CLERK—I suppose this is Henry Miller who was formerly in Glasgow, and afterwards in Liverpool. He goes about as a messenger.

The LORD ADVOCATE—You said you did not tell Miller the first time you had given him laudanum. Was any thing said about arsenic?

Witness—Yes, he inquired if I had given arsenic.

The LORD ADVOCATE—And you found you had not?

Witness—I had not.

The LORD ADVOCATE—Were you asked to recollect anything?

Witness—Yes; I was asked to recollect if a person had called that Sunday, and got any medicine at all.

The LORD ADVOCATE—On that occasion did you recollect that he had got any other medicine?

Witness—Not for a few minutes; but I did on that occasion.

The LORD ADVOCATE—You did not recollect the laudanum on that occasion. Did you afterwards?

Witness—Yes.

The LORD JUSTICE-CLERK—Is that laudanum entered in your book?

Witness—We never enter it.

The LORD JUSTICE-CLERK—Why not?

Witness—It is not required.

The LORD JUSTICE-CLERK—I don't mean in your registers.

Witness—We never put it down in any book.

By Mr YOUNG—We only enter in our books the sales of arsenic. It is not the practice to do so in any other druggist's shop with which I am acquainted. I was not precognosced on the other side here. I was examined by the Procurator-Fiscal on Thursday last. I was not examined in any different way by Mr Miller from what I was by the Procurator-Fiscal on Saturday.

By the LORD ADVOCATE—My shop is about 600 or 700 yards to the west of the inn, in the Glasgow direction.

The LORD JUSTICE-CLERK—It might be a resemblance of any of the moustached gentlemen that walk about the streets. What is peculiar about it? Have you any feeling of assurance in your mind that that is the man you saw in your shop?

Witness—No; I could not be certain.

The LORD JUSTICE-CLERK—Have you any assurance at all in your own mind?

Witness—I have some supposition that it may be the same person, but I could not be certain.

The LORD JUSTICE-CLERK—Were you shown it when Mr Miller came to you?

Witness—I was shown it last week, on Thursday or Friday.

The LORD JUSTICE-CLERK—By whom?

Witness—I don't know the name of the gentleman.

The LORD JUSTICE-CLERK—Was it by the Fiscal?

Witness—I don't know.

The LORD JUSTICE-CLERK—Were you able to give a description to Mr Miller of the man?

Witness—In a great measure.

The LORD JUSTICE-CLERK—Was he a short man?

Witness—Rather if anything less than I am.

The LORD JUSTICE-CLERK—When did you see this photograph?

Witness—I think on Friday last.

Dr James Dickson, examined by Mr YOUNG—I keep a druggist's shop in Baillieston. That is on the road between Coatbridge and Glasgow—five miles from Glasgow, and two and a-half from Coatbridge. I remember a Sunday evening in March last, a gentleman coming into my shop; it was some time in the end of March. It was about half-past six o'clock. He appeared to be unwell; he was holding his hand over his stomach, and complaining of pain; he wanted laudanum. I gave him some at the counter. I gave him from twenty to twenty-five drops. He said he came from Coatbridge, and was going to Glasgow. He was a person of about five feet seven inches in height, so far as I recollect, and what drew my attention to him particularly, was his wearing a moustache, a thing we don't often see about our locality. His age would be about twenty-five; he was not of a very dark complexion; he was dressed in a coat buttoning up tight—I recollect that very distinctly. He had a Glengarry or Balmoral bonnet on his head. I was originally precognosced by Mr Miller on the part of the prisoner, and I gave him a description of this man. I was brought here as a witness, not having seen a portrait. When I came here I was shown a photograph. [Shown photograph.] This is extremely like the person who called at my shop. I think he had a white pocket-handkerchief in the outside breast-pocket of his coat.

By the SOLICITOR-GENERAL—I fix on the end of March, because one or two Sundays about that time I was at home; on others I was out visiting. It might have been in April. I don't think it could have been in the beginning of March. I cannot say distinctly as to the time; as to the Sunday I can't say distinctly. I was asked by the Procurator-Fiscal about the time, and I said it was from two and a-half to three months ago. I think his coat was of a darkish colour, but I could not say. There was no person with him in my place. I did not see him in the street. I did not see if any one was with him. It struck me that he spoke in a slightly foreign accent.

By Mr YOUNG—My shop is off the high road; it is 200 or 300 yards off it.

By the LORD JUSTICE-CLERK—If a person wanted medicine on the road he would require to come to my

shop: there is no other medical man there; he might have left a companion on the high road and returned to him. He took the laudanum.

Dr Adams was recalled and asked by the LORD JUSTICE-CLERK—Did this person complain of anything?

Witness—No, my Lord.

The LORD JUSTICE-CLERK—Did he swallow the laudanum?

Witness—Yes.

The LORD JUSTICE-CLERK—Did you not ask him what he wanted it for?

Witness—No, my Lord.

Mrs Kirk, examined by Mr Young—I am a sister of Dr Kirk, who keeps a druggist's shop in the Gallowgate, Glasgow. It is on the north side. I know Abercromby Street. It is west of that street. I remember a gentleman coming into the shop on a Sunday night some time ago; I can't remember the date; I think it was in March, but I can't say what day of the month; I think it was about the end of the month. It was a little before or after eight o'clock. He wanted medicine; I don't remember what medicine. He got it, but he did not take it at the counter. He took it away with him. I think it was a powder that he got, but I can't say what. I served him. I can't well describe him. He was a young man about thirty. He was not a tall man—rather to the little side. He was not very thin. He had a fresh and rather fair complexion. He wore a moustache. He had on a Glengarry bonnet, but for the rest of his dress I could not say what it was. (Shown photograph.) It is as like him as anything I have ever seen; it is as good a likeness as I have seen. I was struck by his appearance at the time, and I noticed it particularly. He paid for the medicine. He took the money from a little purse. (Shown No. 1 of second inventory.) This is the purse.

By the LORD ADVOCATE—I think this happened in March. The gentleman was alone. He was about five minutes in the shop. I think that is the purse. I can't remember what the medicine was. I did not enter it in any book. I did not enter the money in any book. We don't enter the money got over the counter. There was nobody else in the shop selling anything; there was a woman in; I don't know who she was. I was asked if a gentleman had called buying medicine. I had not said there was anybody buying medicine before I was asked. I was asked about a fortnight or three weeks ago.

By Mr YOUNG—There was a woman in the shop at the time; she spoke of the appearance of the gentleman at the time. The remark was about his dress. She spoke of the hair about the lower part of his face—his beard. That was after he went out. He did not appear to be a foreign gentleman—such as I have seen.

Robert Morrison, examined by Mr YOUNG—I am in the employment of W. & R. Chambers, publishers and editors of *Chambers' Journal*. [Shown four numbers of *Chambers' Journal*.] These were published in the usual way of the dates they bear. The present circulation is about 50,000. The first of these numbers is December 1851; the second is June 11, 1853; the third, January 9, 1856; and the fourth, July 19, 1856. There is an article in each of these numbers on the use of arsenic. I am not aware that they excited a considerable sensation.

George Simpson, examined by Mr YOUNG—I am in the employment of W. Blackwood & Sons. [Shown *Blackwood's Magazine* for December 1853.] This was published by us. The circulation then was about 7000. Messrs Blackwood were also the publishers of the "Chemistry of Common Life," by Professor Johnston. It was published in 1855, but it had before been published in numbers, which had a very large circulation, varying from 5000 to 30,000. The circulation of the separate volume, I suppose has been about 10,000. In Chapter 23d, "The Poisons we Select," the first part is entitled, "The Consumption of White Arsenic." The number containing that article sold to the extent of 5000, and the sale altogether to the present time of that number and the volumes is about 16,000. There was a larger sale of the first volume than of the second.

The DEAN of FACULTY then put in two letters; the envelope of the first dated "September 18, 1855," and read the letter as follows:—

BELOVED EMILE,—I have just received your note. I shall meet you. I do not care though I bring disgrace upon myself. To see you I would do anything. Emile, you shall yet be happy—you deserve it. You are young; you who ought to desire life wishing to end it! Oh, for the sake of your once loved Mimi, desire to live and succeed in this life. Every one must meet with disappointment. I have suffered from disappointment. I long to see you and to speak to you.

The second letter bore the postmark, "October 19, 1855," and was as follows:—

BELOVED EMILE,—Your kind letter I received this morning. Emile, you are wrong in thinking I love you for your appearance. I did and do admire you, but it was for yourself alone that I loved you. I can give you no other reason, for I have got no other. If you had been a young man of some Glasgow family, I have no doubt there would be no objection to you. But because you are unknown to him he has rejected you. Dear Emile, explain this sentence in your note—"Before long I shall rid you and all the world of my presence." God forbid you ever do. My last letter was not filled with rash promises. No; these promises written in my last letter shall be kept—must be kept. Not a moment passes but I think of you.

An extract from a third letter, not dated, was read as follows:—

I am almost well to-day, if the weather would only get warm. I have lost my appetite entirely. It is just anxiety and sadness that is the matter with me, but I am better to-night. Darling, if I were with you. I have laughed at the recollection of a conversation of yours. What queer creatures you must think young ladies at school. For a moment, do you think their conversations are what you said? Believe me, I never heard a young lady while I was at school, nearly three years, speak of the subject you mentioned. But perhaps it was different with me when at school. I had always a bedroom at school, and I was a parlour boarder. Do you really think they are so bad? Some may, but not all.

Dr R. Paterson, examined by the DEAN—I am a physician in Leith, and have practised there for several years. I have seen several cases of suicidal poisoning by arsenic. They were chiefly young females con-

nected with mills and colour-works; in many cases they had obtained the arsenic about the works; in others it was purchased. I was called in to prescribe for them while suffering from the effects of the poison. I saw seven cases in all. They all died, with one exception. I used all the remedies I could think of. In the six cases they submitted to medical treatment without attempting any hindrance. Not one of them disclosed before death that they had taken poison. I asked several whether they had taken arsenic or some other poison, but they all denied it. They submitted to medical treatment like any other patient. The seventh case was a recovery. That person did not admit at first that she had taken poison. After she had almost recovered from the secondary effects of it she admitted it. She was then aware that she was recovering. In previous stages of her illness she was sullen and morose, and would not speak. Arsenic is used to a large extent in these colour manufactories, and was used to a larger extent at that time. These cases occurred several years ago. The people about the works had great facilities in taking away arsenic.

By the LORD ADVOCATE—They were not all about the same time. These seven cases occurred in the space of about eighteen years. The symptoms were nearly similar in all. They were characteristic of poison by arsenic. They vomited matter of various colours, depending on what has been previously taken. The sickness and vomiting ceased in most cases an hour or two before death, but in some instances continued till death. They were all known cases of suicide. I can't say if any of them asked for a medical man to see them. I had no precise means of ascertaining what time elapsed between taking the poison and the commencement of the symptoms. Death resulted in thirty-six hours, and one in twelve hours, from the commencement of the symptoms.

By the LORD JUSTICE-CLERK—In cases of suicide the early symptoms are not seen.

John Fleming, examined by Mr YOUNG—I am storekeeper to Todd & Higginbotham, printers and dyers in Glasgow. I have been so for eleven years. I take charge of the whole chemical substances used in their printing and dyeing operations. Arsenic is one of the substances used in large quantities. We generally get from three to four cwts. at a time. We generally get it from Charles Tennant & Co. in its pure white state. It is used by us for mixing with other substances in making colour. It is put in barrels. The arsenic barrels are put into the store among the other things, quite open. When any of it is taken out of the barrel the lid is loosely laid on again. Three men and a boy work in the store with me; their duty is to weigh out the different substances as they are wanted by the colourmakers. From eighty to ninety lb. are generally given to the colourmakers at a time. They get that quantity several times a month. No person gets into the store except those engaged in it. It is taken from the store to the colourmakers in open wooden pails. I can't say how many workmen are employed about the works. I would not miss three or four ounces of arsenic if it were taken away. I would miss more.

Robert Townsend, examined by Mr YOUNG—I am manager to my brother, Mr Townsend, manufacturing chemist in Glasgow. He deals largely in arsenic, and we have always large quantities at a time in the premises; we have from one to ten tons at a time; it is kept in a private office in the counting-house. During the night it is locked up, not during the day. It stands in casks, as meal does in a meal shop. One cask only is kept open for use. We employ from 100 to 104 people. I have no doubt they might take arsenic away if so inclined.

By the LORD ADVOCATE—I have never known it taken away.

Janet Smith, examined by the DEAN of FACULTY—I am a sister of Madeleine Smith. I am thirteen years of age. I was living in my father's house in Blythswood Square last winter and spring. I slept down stairs in the same bed with Madeleine. I generally went to bed before her. We both went at the same time on Sunday; that was generally the way on Sunday. I remember Sunday the 22d March; went to bed at the same time that night. I am quite sure of that. We went to bed about half-past ten or after that. We went down stairs together from the dining-room. I don't remember which was in bed first. We were both undressing at the same time, and we both got into bed nearly about the same time. We usually take about half an-hour to undress; we were in no particular hurry that night in undressing. My sister was in bed with me before I was asleep. I am quite sure of that. She was undressed as usual, and in her night-clothes. I don't know which of us fell asleep first. It was not long after we went to bed before I fell asleep. I don't remember papa making a present of a necklet to my sister lately; I remember him doing so about a year ago.

By the LORD ADVOCATE—I have seen my sister take cocoa. I never saw her make it in her room. She kept it in a paper in her room. We had a fire. We went to bed that night at the same time as we usually did on Sunday night. I remember the morning that Madeleine went away. I suppose she had been in bed that night. I was asleep before she came to bed. She was away when I awoke.

By the DEAN—I have seen my sister taking cocoa in the dining-room. I don't know that she had been recommended to take it. No other body in the house took it. She took it in the dining-room, and kept it in her own room. On the Monday morning, the 23d, I found my sister in bed when I awoke about eight.

Dr Laurie, examined by the DEAN—I am a physician in Glasgow, and have been in practice for a good many years. I have not made arsenic a particular study, but I have had my attention recently directed to the effect which it would have on the skin if it were mixed in water. I tried it on myself. I put in water a quarter of an ounce of arsenic from Currie's shop, mixed with indigo, and I washed my hands with it. I also mixed half an ounce of the same arsenic with water, and washed my face quite freely, but I washed my face afterwards with cold water. I found no disagreeable effects from it. I tried the washing of the face on Saturday. I had tried the washing of the hands previously. The effect of the washing on the hands was as if I had used a ball of soap with sand in it; the effect was not great, but if at all, it had a softening effect. I don't think that increasing the amount of the arsenic would make any difference, on account of its insolubility. I made the experiments in a common-sized hand basin. I recollect treating one case of arsenical poisoning which presented some remarkable peculiarities. The history of the case was this (avoiding names, places, and dates):—It occurred during the prevalence of cholera some years ago in the west. I was asked to see a gentleman about seven or eight in the evening. I found he had been ill from three or four o'clock in the afternoon. I was in the habit of attending his family. I inquired why I had not been sent for sooner, and I was told that the symptoms had not been sufficiently clear to call for my attendance. I found the patient labouring under the

premonitory symptoms of cholera. I prescribed for him as for a case of cholera. I then left, and returned about ten o'clock, when I found the symptoms very much aggravated; there was vomiting and purging, and cramp of the limbs. Some points in the case struck me as peculiar—his voice was not in the least affected, which it usually is in cholera, and almost uniformly in the later stages. The appearance of the matter vomited was also peculiar, in the colour especially, which was of a reddish yellow. In cholera we expect the rice-water discharges. It occurred to me that this might not perhaps be a case of cholera; I therefore asked the gentleman if he had taken anything, or had anything given to him. He said he had not taken anything that day excepting his ordinary food: he said, I think, that he had taken some chicken soup. The symptoms went on, and it struck me more that it was not a case of cholera. I again asked him if he had taken anything to account for the peculiar symptoms, and he said he had not. I called a medical friend in consultation, and being satisfied that something was wrong, I again put it to the patient, in presence of the other medical man, whether he had taken anything, and he declared solemnly that he had taken nothing. The symptoms went on till I became convinced he was dying, and then I put the question to him as a dying man to tell me whether he had taken anything. His answer a short time before he died was that he had taken nothing. He died I think about two in the morning, and the symptoms had commenced about three or four in the afternoon. The occurrence had nearly passed out of my mind, when next day, about two in the afternoon, I was informed that a gentleman was anxious to see me. I found he was connected with one of the drug establishments in town; he said, "You attended so-and-so last night, and he die of cholera." I said I did; he said, I think it my duty to tell you that I sold to him about two o'clock on the day that he died half an ounce of arsenic." I cautioned him not to mention the circumstance. I immediately went to the house, got the matter vomited, put it into a bottle, and got it analysed by an eminent chemist. He told me next day that he had found a large quantity of arsenic. then had the body opened, and the stomach taken out and given to the same eminent chemist, and he found that it contained a large quantity of arsenic; quantity was not determined; the stomach was full of arsenic. That patient received medical treatment very quietly; just as had been done on previous occasions. He took the prescriptions readily. He was living with his relations. I have a large family practice.

By the Lord Advocate—In making the experiments as to washing my face and hands with arsenic, I filled a basin with a quantity of water, and washed my face and hands. I put in the arsenic without allowing it to subside; a large part, of course, fell to the bottom. It is a practice I would have no fear in repeating. I don't think one experiment would justify me in saying it is a safe practice. I felt no smarting of the eye, and no unpleasant feelings, and I would have no hesitation in repeating the experiment. If I had a case requiring it, I would have no hesitation in ordering it to be done. I would not advise it to be made a practice of. If there were vermin on the skin, it might require to be done. I would not hesitate to prescribe it for that. I never did prescribe it, but I would have no fear in doing so. Extreme thirst is an early symptom in cholera, and in poisoning by arsenic. In cholera it is more towards the later stages.

Dr Douglas Maclagan, examined by the Dean—I am a physician in Edinburgh. I have had some experience in cases of poisoning by arsenic, and have devoted a good deal of attention to chemistry. From what I know of the properties of arsenic, I think that so very little of it is dissolved in cold water, that I could not conceive it would do any harm to wash the face or hands with it. If agitated with cold water, it dissolves one part, I think, in 400. That is so minute a quantity that I don't think it could do harm to the entire skin. If kept long in contact with the skin, it might produce bad effects; but I should think very little effect would be produced on the hands by washing them in cold water in which a quarter of an ounce of arsenic was put. Arsenic will dissolve more readily in hot water. The quantity dissolved by simply putting it in boiling water is not very great. In order to make boiling water a sufficient solvent of arsenic, you must continue the boiling of the arsenic for a considerable time; if you want to dissolve a pretty large quantity of arsenic, you require to boil it violently for half-an-hour. I think a fortieth part is held in solution after the water is cool. I don't recollect how much it retains at the boiling point. As a general rule, the presence of organic matter in a fluid impairs the solvent power of arsenic.

The Lord Justice-Clerk—Does that point to the quality of the Glasgow water?

By the Dean—There does not appear to be a great difference in the case of tea or coffee poured on arsenic from what I have stated as to water. They dissolve but a small quantity. I can't say how much cocoa or chocolate will hold in solution, because you cannot filter them so as to determine the quantity. There is a great deal of organic matter in cocoa or chocolate. Suppose a solution of arsenic applied to the skin, I don't know it would have any poisonous effect; I don't think it would have much effect one way or another. If kept sufficiently long in contact with the skin, or rubbed in, it would prove poisonous. There are cases in which arsenic ointment has proved poisonous. I remember a case of a person named Davidson who took arsenic, and I published an account of that case. She took it by accident. She was not a very strong-minded person; she was a hysterical and weak creature. She took it thinking it to be an effervescing powder, and she did not discover what she had taken till she saw a dog pulling about the room a paper on which "Arsenic" was marked. I have paid attention to the symptoms of arsenical poisoning. In cases of slight quantities of arsenic being taken, the symptoms very often resemble those of bilious or British choleraic attacks; in very severe cases of arsenical poisoning, terminating fatally, there is a very remarkable resemblance to persons labouring under malignant or Asiatic cholera. Witness stated the symptoms of arsenical poisoning. He never saw jaundice as a symptom. Irritation of the throat was a symptom. It might occur in a case of British cholera, but then it was generally caused by muscular soreness from severe vomiting.

By the Lord Advocate—It was possible that jaundice might be a symptom of arsenical poisoning; it was difficult to deny a possibility in regard to physiological action. The presence of organic matter interfered with the holding of arsenic in solution, but it might be held in suspension. A vicious fluid would hold more in suspension, and the more vicious the more it would hold. Great thirst was a symptom of poisoning by arsenic. Did not think water in which arsenic had been mixed would produce any effect on a person washing in it. Would not recommend the practice.

By the Dean—I could not say how much arsenic

could be held in suspension in a cup of cocoa; it would depend on the thickness of the cocoa. In this country cocoa is very thin. In France chocolate is as thick as porridge.

Hugh Hart, examined by the DEAN—I am a druggist in Glasgow. The Bridge of Allan is between two and three miles from Stirling. The distance from Allos to Stirling is seven to eight miles.

By the LORD ADVOCATE—Cambridge is eight miles from the Great Western Road, Glasgow.

This concluded the evidence for the prisoner, and the Court adjourned at a few minutes to five o'clock, till ten o'clock next morning.

SEVENTH DAY.—Tuesday, July 7, 1857.

The Court met again to-day at ten o'clock.

The LORD ADVOCATE then addressed the jury as follows:—Gentlemen of the jury, after an investigation which for its length has proved unexampled, I believe, in the criminal annals of this country, I have now to discharge perhaps the most painful public duty that ever fell to my lot. I am quite sure, gentlemen, that in the discharge of that duty, I shall meet with that attention which the deep importance of this case requires, and which you have paid to its details from the commencement. Gentlemen, it is impossible, whatever impression may have been produced in your minds—it is impossible that, during this long and protracted trial, in which we have laid before you so many elements, some of them minute elements of proof, necessarily to a certain extent disjointed and unconnected—I say whatever moral impression may have been produced on your minds—and I fear there is little doubt of what that impression must have been—it is impossible that you can have rightly appreciated the full bearing of those details on the proposition which this indictment contains. It is now my duty, as clearly and fully as I can, to draw these details together, and to present to you, if I can, in a connected shape, the links of that chain of evidence which we have been engaged for the last week in constructing. Gentlemen, I could have rejoiced if the result of the inquiry which it was our duty to make, and of the laborious collection of every element of proof which we could find, would have justified us on the part of the Crown in resting content with the investigation into the facts, and withdrawing our charge against the prisoner. Gentlemen, I grieve to say that so far as that from being the result to which we come, that if you give me your attention for I fear the somewhat lengthened trespass on your patience which I shall have to make, you will arrive at the conclusion that every link is so firmly fastened—that every loop-hole is so completely stopped—that there does not remain the possibility of escape for the unhappy prisoner from the net that she has woven for herself. Gentlemen, the indictment charges three separate crimes, or rather it charges two separate crimes, one of them having been committed twice, and the third once. It is an indictment which charges two separate acts of administering poison with intent to kill; and the third charge is the successful administering of poison with intent to kill—viz., murder. They are charges to which, in some respects, different parts of the evidence apply; but they hang together; they throw light upon each other; they are not unconnected acts of crime. Our case is that the administration with intent to poison was truly part of a design to kill; on the other hand, the facts of the death reflects and throws back light on the previous acts of administration. In stating to you the evidence on which we think that these charges must be found proved, I shall avoid, as far as possible, travelling into a region which this case affords too great materials for—I mean the almost incredible evidence which it has afforded of disgrace, and sin, and degradation—the dreadful social picture which it has revealed—the fearful domestic results which must inevitably follow—those feelings of commiseration and horror which the age, the sex, and the condition of the prisoner must produce in every mind—all these are things into which I shall not travel. They might unnerve me for the discharge of my painful public duty. Besides, no language of mine—no language of my eloquent and learned friend—can convey to the mind one-tenth of the impression which the bare recital of the details of this case has already created throughout the whole of this country. I shall only say that these matters weigh on my mind, as I am sure they do on yours, with a weight and an oppression which neither require nor admit of expression. The only other remark of that kind which I shall make is this, that while a prisoner in the position of this unfortunate lady is entitled—justly entitled—to say that such a crime shall not be lightly presumed or proved against her, yet, gentlemen, if the charges in the indictment be true, if the tale which I have to tell and have told be a true one, you are trying a case of as cool, premeditated, deliberate homicide as ever justly brought its perpetrator within the compass and penalty of the law. Gentlemen, the first act on which I found is one into which it will not be necessary for me to go in any great detail. It is a very im-

portant fact in the inquiry, but it is one on which you can have no doubt whatever: this unfortunate man, Emile L'Angelier, died of arsenic. There can be no doubt about that. The symptoms which he exhibited on the night of the 22d and morning of the 23d March were in all respects the symptoms of poisoning by arsenic. I may have occasion, in the course of my remarks, to come back upon this; I do not stop for the present to demonstrate it. His body was opened, and the stomach was analysed by Dr Penny, who found an immense quantity of arsenic in it; the other parts of the body which were taken out at the exhumation were analysed by Dr Christison, and he found traces of arsenic in every one of them; and therefore, gentlemen, I think you will come to the conclusion—and it is not a conclusion on which it is necessary for me to dwell—that the inquiry starts with this ascertained and certain fact, that L'Angelier died on the morning of the 23d March in consequence of the administration of arsenic; whether given him by another, or taken by himself, in whatever way he swallowed it, the cause of his death was unquestionably arsenic. The next question which arises is, by whom was that poison administered? That truly constitutes the inquiry which you have now to answer. In passing from the *corpus delicti*, so to speak—in passing from the cause of L'Angelier's death—I do not allude to a theory which barely crossed my mind during the leading of the evidence yesterday as a possible case to be made in the defence, that, notwithstanding the arsenic found in the stomach, his death was to be attributed to other causes, and that, in truth, it arose from biliary derangement or from cholera. Gentlemen, that is a theory which it is impossible to maintain. I pass from that at present, and I shall assume, during the rest of my argument, that L'Angelier died from the administration of arsenic. Passing from that, then, I now proceed to inquire what is the evidence that connects the prisoner at the bar with the death of L'Angelier? And before I state to you in detail—and I must do it with very great and anxious precision—the evidence on that point, which appears to me conclusive of the guilt of the prisoner, I must, after the course which the trial has taken, and the remarks which have been incidentally made in the course of it, set you right in regard to some matters which have been raised respecting the conduct of the prosecution. A great deal was said while we were leading our evidence, especially as regarded the documents—a great deal was said on the course that was followed when this inquiry first began after the death of L'Angelier. Those matters that were alluded to were no doubt of considerable importance, but you must draw the distinction between remarks intended to apply to the general system of conducting prosecutions of this kind, and to those matters in which the prisoner can state any interest, or in regard to which her defence could in any way be affected. Gentlemen, I said at first, and I still, that as far as regards the productions in our hands, I know of no case in which any prisoner has had more facilities than the prisoner at the bar; not too great facilities, for everything which we did in the matter had a tendency to elicit the truth, which is the only object of this inquiry. Nor do I think that in so rare and singular a case as this, we in the slightest degree departed from our public duty in enabling the prisoner more easily to conduct her defence. But, as far as the proceedings have gone, whatever remarks may be made as to the conduct of particular officials, I think I shall show you most clearly that the prisoner has suffered nothing in that respect, and that, in truth, if matters referred to in these observations have any effect on the case at all, it has not been against the prisoner that that effect has been produced. On the death of L'Angelier a great quantity of documents was left by him in various repositories. His death was sudden and unexplained. Dr Thomson and Dr Steven made a *post mortem* examination; but they could not state what the cause of death was. His employers, who took an interest in him, grew anxious. They examined his repositories, and they found that in his desk in the office and in his lodgings there were a variety of letters. The first examined were those that were in the desk in the office, which were examined by Stevenson and Kennedy; and the reading of some of them gave them a misgiving as to what the truth of this case might be. L'Angelier died on the 23d, and on the 25th Mr Stevenson made a communication to the Procurator-Fiscal, not charging anybody with a crime, or implicating anybody in the death, but simply calling his attention to the fact that L'Angelier had died under these circumstances, and stating that there were letters left in the desk which might be of importance as throwing light upon the mystery of his decease. The result was, that Stevenson himself brought six or seven letters to the Procurator-Fiscal on that day, and those letters were marked by himself and clearly identified. The investigation went on. By the 30th Dr Penny made his medical report. A warrant was that day issued by the Procurator-Fiscal, not against Miss Smith, or in a criminal charge at all, but on the case of a sudden death, to search the repositories of the deceased. Gentlemen, that was done. The letters in the desk were sealed up in the presence of Kennedy and Stevenson. They were sent to the Procurator-Fiscal or to the Fiscal's office. They were found with the seals unbroken by Stevenson when he went there, and I think the box was opened in his presence. Wilson, the Procurator-Fiscal's clerk or assistant, received the box in that state in the presence of Mr Hart. He swears that he locked it up at that time, that he delivered it some days afterwards to the officer Murray in the state he got it. The officer Murray swears that he marked the letters there,

and delivered them back in the state in which he got them; and from that time forward their identification is complete. In the lodgings letters were found in the portmanteau, in the desk, and in the tourist's bag. The letters in the portmanteau and in the desk were made up into bundles by Murray and his assistant M'Lauchlin. They were carried by M'Lauchlin to his own house on the night of the 30th. He swears that they were not touched during that night—that they remained in his own room. Murray got them next day, in the state in which he left them the night before, from M'Lauchlin. The two set to work and marked the documents, keeping them under lock and key during the process, and they handed them over to the Procurator-Fiscal, who marked them himself. Therefore, gentlemen, if you believe these officers, the history of these letters is also complete. And as regards the letters in the tourist's bag, the tourist's bag was opened in the presence of Stevenson and Hart, and there can be no doubt, therefore, of what the letters were that were contained in that repository. Now, it has been said this is a very loose and improper mode of conducting this business. It has been said that these letters should have been handed over to the Sheriff-Clerk, and that he was the proper custodier of these documents. Now, I am very far indeed from saying that the proceedings in the first instance were what I should wish them to have been; because I think it right to say that I know no excuse for an officer in the execution of a warrant, when he discovers documents under the authority of that warrant, not identifying them completely at the time. But, on the other hand, that is a question not, as I think relating in the least to the interest of the panel at the bar; because, if you shall be satisfied that the chain of evidence is complete—that these documents have truly come into the hands of the public prosecutor in the state in which they were found—why, gentlemen, if these persons had not been officers of the law at all, if they had been private individuals dealing with articles in the repositories of a deceased relation, and we had the same amount of evidence in regard to their custody and transmission, that evidence would have been perfect and complete. But it is said they do not know yet what documents were recovered by the Procurator-Fiscal. Gentlemen, they are not entitled to say so; for this plain reason, that they had it in their power, at any period if they pleased, to ascertain exactly what documents had been recovered by the Procurator-Fiscal. It seemed to be said that the public prosecutor was in a position in which it depended entirely on his will and pleasure what facilities should be given to an accused party—to a party accused of a crime before the Court. I am happy to say, gentlemen, that no such law exists in this land. If documents were in the hands of the Procurator-Fiscal, or of the public prosecutor, which the prisoner was entitled to have access to, the courts of law were open, and an application to the Court of Justiciary would at once have prevented the public prosecutor from keeping back a single document to which the prisoner was entitled if he had been inclined to do so. And if they had really wished to know what documents were recovered by the Procurator-Fiscal, and really thought that any documents were retained by him, why did they not before this trial—why did they not when the trial began—make an application to the Court to ascertain that fact in a proper and legitimate manner? Gentlemen, I will tell you. Because every scrap of paper that passed between the prisoner and the deceased L'Angelier has, in one shape or other, been produced in this process. It is not now in the mouth of the prisoner to say, by cross-examination, as to matters over which obscurity may in words be thrown—it is not in the mouth of the prisoner to say that one single document has been retained that she or the agents for her defence might, if they chose, have taken the proper means to ascertain. There was a complaint made that we had refused access to the original documents. Gentlemen, I did so—we did so—on our own responsibility; and that we did rightly there can be not a shadow of doubt. You have seen the mass of this correspondence, you have heard it explained in what state the repositories were; you have seen already, and you will know much more, before this case is concluded, how vital every scrap may be that we have produced to the justice of this case. It was absolutely necessary that we should have the use of the documents to identify the handwriting, to trace the letters, to ascertain their dates, to ascertain their import; and it was necessary that we should take care that under no circumstances should those important elements of evidence run the slightest risk of being lost to justice. Gentlemen, the prisoner used the right which the law gives to a person accused in this country among the many other safeguards with which our system above all others surrounds a person accused—I say she used the privilege of what is called "running her letters" immediately after the time when she was apprehended, and the effect of running letters is this, that it compels the public prosecutor to bring the accused to trial within a certain time, otherwise the prisoner must be set free; and accordingly it was absolutely necessary that within a limited time the case for the prosecution should be prepared; but the prisoner might have delayed the trial at any time. No doubt, to a certain extent, she would have lost the benefit of the haste with which the prosecutor otherwise was compelled to complete his case; but if her advisers in such a case as this had really thought that there was injustice done—that there had been improper obstacles placed in the way of her defence—do you imagine that for a fortnight here or there they would have refrained from applying for a delay of the trial, which they would have got at once from the indulgence of the prosecutor without any further proceedings; but which, if the prosecutor had been unwilling to

grant, the Court, as a matter of course, would have given? Gentlemen, I have made these remarks because I think that an undue impression may have rested upon your minds in regard to those matters during the discussions that arose on the trial. To what extent the Sheriff ought personally to superintend precognitions, or whether the Sheriff-Clerk is the proper depository of these documents, are matters relating to the general administration of the criminal law, upon which different opinions may subsist, and which may be modified by practical difficulties. I am glad to think that I speak in the presence of two of the learned Judges who have themselves been in the position of Sheriffs, and they know well that I am right when I say that whatever may be the theory, it has not been the practice in any county in Scotland for the Sheriff-Clerk to be the custodier of documents under circumstances such as these; and that, in regard to the taking of precognitions, although the Sheriff is responsible unquestionably for precognitions that are taken, it is not possible in all cases that he shall personally superintend a precognition taken, nor is it, I think, a subject for observation on the part of my learned friend that any particular witness has been procognosced on my account without the Sheriff having been present. It is perfectly certain, Gentlemen, that any such rule as that would in truth paralyse the whole machinery of justice, and this very case is an illustration of what would have been the result if every precognition in which there were important statements bearing on the case had only been taken in the presence of the Sheriff. I venture to say that the result would have been that this case must have been delayed until it was impossible for the public prosecutor to bring the prisoner to trial, or that the important public interests which in the great community of Glasgow are committed to these important and learned officials would have been unnecessarily injured. I do not say this for the purpose of in the least questioning the assertion that the Sheriff ought as far as possible to be present at the precognition of witnesses, especially in a case like this; nor do I say, in one way or other, whether in this particular case this duty was or was not sufficiently discharged, for I have no means of judging of this. What I have said relates to the general administration of the criminal law of this country, and has no bearing whatever on the interests of the panel in this particular case, and is not, I think, a subject for observation in any way, so far as the prisoner at the bar is concerned. It has been said that we should not have produced only a partial correspondence. I feel it is very unfortunate only to have a partial correspondence produced; but I have produced all the correspondence to which the prosecutor had access. For the most part there was only one side of the correspondence, and we had none of the other. We had nearly 200 letters, or more than 200 letters, from the prisoner at the bar to deceased—we have only one copy of a letter from deceased to prisoner. There were other writings in the handwriting of the prisoner, but these it seems cannot be used in evidence. I regret that in a case of such importance, while you have, on the one hand, innumerable letters of the prisoner, you have, on the other hand, only one copy of a letter of deceased. How came that? You will see in the correspondence that the letters of L'Angelier were not destroyed till a very recent date. You could not have been much surprised if it had been otherwise. That a lady should not preserve letters of that description would not be in the least degree remarkable; but there is evidence that down to the 7th or 8th February last that correspondence was in existence, and we have heard no explanation of any kind as to what has become of it. This we know, and this only, that not one single scrap in the handwriting of L'Angelier has been discovered in this case, excepting those four documents, three of which have not been admitted in evidence; therefore, in the matter of this correspondence, we have all done what we could. The only matter in which the prisoner has a legitimate interest as regards this question is, no doubt, one of very great importance. She has an interest that these letters shall be shown to be properly arranged, because it is very often the case that letters bear no date except the postmark upon the envelopes; and you must be satisfied that each letter was in its proper envelope. Let me make this observation, in the first place, upon this very important point—that that is a difficulty that necessarily occurs in every case where the evidence consists of letters sent in envelopes. It has been a misfortune, in the way of tracing the fact of letters being sent in that way, that there never is any means of connecting the envelope with the letter, except the fact of its being found there. Most people, not intending to keep their correspondence, and not of very methodical habits in that way, constantly leave sometimes the letter and envelope apart, sometimes the letter in the wrong envelope; and if the officers in this case had gone to work with the most scrupulous nicety, and if you had it beyond all question that the letters found were produced in precisely the same state as found, the remark of my learned friend would have been equally well founded if he had said—'What evidence is there that these letters so found in these envelopes were sent in them, and how can we know, when letters are found tossing about in a desk in an office, not made up with regularity, that this person was in the habit of keeping his letters in a manner which would make the envelope proper evidence?' That, I say, is a remark which occurs in every case of the kind, and which my learned friends are quite entitled to make here. I do not say that the envelopes in which letters are found is an element to enable you to arrive at the truth; but if you find in a series of letters that, in the first place, when a letter is dated on a particular day,

the postmark plainly corresponds to that particular day of date—if you can find that a letter bears 'Monday night,' and the postmark bears the morning postmark of 28th, or supposing a letter be dated 'Monday night,' while there is no day of the month, and the next day is Tuesday the 28th, and that is the postmark, or that a letter bears date 'Monday morning,' and you find that the postmark is Monday the 20th February, all that, I think, will necessarily lead you to conclude, if you find it in a uniform series of letters, that these letters have been kept in their proper envelopes. I do not say that that even is the case, but it is a matter you will judge of as regards the general position of the letters; and if you find that uniformly throughout the series of letters, one after the other, you can have no reason to doubt that these letters have been put in their proper envelopes. But I do not rest the proof of the date of the letters upon that. There is scarcely one letter the date of which I could not prove if there had been no postmark or envelope at all, by the facts they tell, and by their relation to each other. In the laborious investigation which was made into this matter you will find that this is very clearly and distinctly brought out, and I think you will be satisfied that although these postmarks afford a strong presumption in regard to the letters being in the same state as when originally sent, the evidence of their dates does not depend on that circumstance alone—I think that can be brought out with absolute certainty, so far as we can produce certainty on the human mind. After this somewhat long digression, I come back to the details of the case. My story is short. This young lady returned from a London boarding-school in the year 1853. She met L'Angelier somewhere I believe about the end of 1854. L'Angelier's history has not been very clearly brought out. It is plain, unquestionably, that in 1851 he was in very poor and destitute circumstances. Of his character I say nothing at present but this, that it is quite clear that by energy and attention he had worked his way up to a position that was at least respectable—a position in which those who came in contact with him plainly had for him a very considerable regard. It is no part of my case to maintain the character of the unhappy deceased. The facts in this case make it impossible to speak of him in any terms but those of very strong condemnation. But still it is plain that when Miss Smith became first acquainted with L'Angelier he was a man moving in a respectable position, bearing a respectable character, liked by all those who came in contact with him, spoken of by the three landladies with whom he lodged in the highest possible terms—a man of whom the chancellor of the French Consulate spoke as respectable and steady—a man spoken of by his employers and by his fellow-clerks in Huggins' warehouse also in the highest terms. I do not say anything of that at present, but such is the fact. These two persons met; they were introduced, I assume, clandestinely. After a time, it seems an attachment commenced, which was forbidden by her parents. It is only right to say that the earlier letters of the prisoner at that time showed good feeling, proper affection, and a proper sense of duty. Time went on; the intercourse was again renewed, and in the course of 1856, as you must have found, it assumed a criminal aspect. From that time down to the end of the year, not once or twice, but I have evidence to show clearly that repeated acts of improper connection took place. It will be necessary for you to take into your consideration that she had so completely committed herself by the end of 1856 that she was, I will not say in L'Angelier's power (he was in her power), but she belonged to him, and could with honour belong to no one else. But her affection began to cool; another suitor appeared; she endeavoured to break off her connection with L'Angelier by coldness, and asked him to return her letters. He refused, and threatened to put them into the hands of her father. There is much that is dishonourable in this case, but not in that. It would not have been honourable to allow the prisoner at the bar to become the wife of any honest man. It was then she saw the position she was in—she knew what letters she had written to L'Angelier—she knew what he could reveal—she knew that, if those letters were sent to her father not only would her marriage with Mr Minnoch be broken off, but that she could not hold up her head again. She writes in despair to him to give her back her letters; he refuses. There is one interview—she attempts to buy prussic acid; there is another interview—she bought arsenic; there is a third interview—she bought arsenic again. Her letters, instead of demands for the recovery of her letters being contained in them, again assume all the warmth of affection they had the year before. On the 12th of March she had been with Mr Minnoch making arrangements for her marriage—on the 21st she invites L'Angelier to come with all the ardour of passion to see her—she buys arsenic on the 18th—and L'Angelier dies of poison on the morning of the 23d. The story is strange—in its horrors almost incredible; and no one can wonder that such a story should carry a thrill of horror into every family. The prisoner is entitled to all the presumptions which can be given her, but if, as I am certainly bound to do, I bring before you such proof as to carry conviction to your minds that no reasonable man can doubt—that no reasonable ray of doubt can penetrate the judgment—then, incredible as the story is, and fearful as the result of your verdict must be, we have no alternative, in the discharge of our public duty, but myself to ask, and you to give, that verdict which the facts of the case, if proved, demand. In cases of this kind—in occult cases especially—the ends of justice would be perpetually defeated if you were to say you shall not convict a man unless you

find some person who saw the crime committed. But in the case of administration of poison that remark applies with peculiar force. In truth, the fact of administering poison before witnesses is so far from affording, in the first instance, a presumption of guilt, that it sometimes is the strongest proof of innocence. I remember a case which attracted as much attention in a sister country as this has done in ours. The culprit there sat by the bedside of his victim, surrounded by medical attendants—gave him the poison in their presence—sat and witnessed its effect—saw his dying agonies with a coolness that could hardly be believed. There could hardly be a stronger presumption of his innocence than that; and the result was that he very nearly had entirely escaped suspicion from the fact that the thing was done openly. And, therefore, in the case of administration of poison, the fact of there being no eye-witness to the administration is not an element of much weight in the inquiry. You may assume that if it was done with a guilty intention it was done secretly. The question is, whether we have evidence to trace the crime from the course of the circumstances. Now, having thus given you an outline of the nature of the evidence, I go on to consider that evidence in detail; and I shall endeavour to do that in a manner which shall bring clearly before you how these facts, in their order, bear upon the crime alleged. We have to take the links of different parts of this chain of evidence somewhat out of the order in which the evidence has been led. I shall now proceed to look at them exactly in the order of time, beginning with the 29th of April 1856. The first letter which it is necessary for me to refer to is the letter dated 29th April. I have already given you an outline of the nature of the connection that began between the prisoner and the deceased at that time; and I intend to read a few passages from that correspondence, with the connection between them, in order to show you—first, how far the prisoner had committed herself to the crime committed; and, secondly, the moral and mental state of the prisoner herself. You will then be better able to appreciate the course the prisoner took. That letter of the 29th April, 1856, is one of the few letters which bear a date. It has also a postmark, 'Helensburgh, April 30, '56.' In that letter she says:—'Dearest, I must see you; it is fearful never to see you; but I am sure I don't know when I shall see you. P. has not been a night in towu for some time, but the first night he is off I shall see you. We shall spend an hour of bliss. There shall be no risk; only C. H. shall know'—this C. H. being Catherine Haggart, who was made the *confidante* of this amour since its commencement, and the vehicle through whom the letters were transmitted. That was on the 29th of April. On Friday, a letter without a date is written, and enclosed in an envelope, which bears the postmark of Saturday, 'May 3d, '56.' In this letter, dated Friday, the prisoner says:—'P. has been in bed two days. If he should not feel well and come down on Tuesday, it shall make no difference. Just you come, only darling. I think if he is in the boat you should come out at Helensburgh. Well, beloved, you shall come to the gate—you know it—and wait till I come. And, then, oh happiness, won't I kiss you, my love, my own beloved Emile, my husband dear? I don't think there is any risk. Well, Tuesday, 6th May—the gate—half-past ten; you understand, darling.' The next letter is dated 'Wednesday morning, five o'clock,' and bears the postmark, 'Helensburgh, 7th.' There are two postmarks, but the year and month are not legible, though the month appears from one postmark to be May and the year, 1856. In this letter, dated 'Wednesday morning, five o'clock,' and found in an envelope bearing the date 7th May, you have these words:—"My own, my beloved husband,—I trust to God you got safe home, and were not much the worse of being out. Thank you, my love, for coming so far to see your Mimi. It is truly a pleasure to see my Emile. Beloved, if we did wrong last night, it was in the excitement of our love. Yes, beloved, I did truly love you with my soul.' Then she says further down:—'Am I not your wife? Yes, I am. And you may rest assured, after what has passed, that I cannot be the wife of any other but dear, dear Emile.' Then, after referring to a journey to Lima, which L'Angelier had proposed making, she goes on to say:—'I shall write dear Mary soon. What would she say if she knew we were so intimate? She would lose all her good opinion of us both—would she not?' That letter speaks language not to be mistaken. From that period dates the commencement of the criminal intimacy between the parties. The letters between that date in May and the end of the year are written in a strain that really I do not think I should comment upon. I can say this, that the expressions in these letters—the language in which they are couched—the matters to which they refer—do so entirely overthrow the moral sense—the sense of moral delicacy and decency—as to create a picture which I do not know ever had its parallel in an inquiry of this sort. That is the character of these letters from May 1856 down to the end of the year. Where the prisoner had learned this it is not for me to say. If my learned friend means to say that L'Angelier had his own share in corrupting her moral sense, I shall not much dispute it. It does not matter to this inquiry whether that was so or not. There is scarcely one of these letters down to the end of December, 1856, or beyond that period, that does not allude in direct terms to such things as are alluded to in the letters already quoted from. I next refer to a letter dated 'Friday night,' enclosed in an envelope bearing the postmark, 'Helensburgh, Friday, 27th May,' from which I take the following as a specimen of the letters which passed at this time. In this letter she says:—'I think I would be wishing you to *love* me, if I

were with you, but I don't suppose you would refuse me, for I know you will like to *love* your Mimi'—three scores being made under 'love.' In a letter, which has no date, she swears she will never marry any one else; and in another letter, enclosed in the same envelope, she says:—'Our intimacy has not been criminal, as I am your wife before God.' Then she says:—'I promise to you you shall have it (my likeness) some day, so that promise won't be broken. If I did not sign my name, it was for no reason. Unless it is to a stranger, I never do put Smith, only Madeleine.' The conclusion of that letter is in the same strain as the rest. The correspondence proceeds, and we have a letter dated Saturday night, and bearing the Helensburgh postmark, 'July '56.' The dates are really not material, as the letters are evidently written in 1856, and I need not stop to demonstrate the precise time. If there were more doubt about the postmark it would make no difference, as the relations between the parties in 1856 are sufficiently established independent of that evidence. But in that letter she says:—'I shall not see you till the nights are a little darker. I can trust C. H. She will never tell about our meetings. She intends to be married in November; but she may change her mind.' In point of fact, C. H., or Christina Haggart, was married in May last, and the references in the letter sufficiently determine the period when it was written. The next letter I refer to is one dated on Thursday evening, in which the prisoner says:—'I cannot see you ere you go, for which I am sorry. You forget that my little sister is in my bedroom, and I could not go out by the window, or leave the house, and she there. It is only when P. is away I can see you, for then Janet sleeps with M.' She then refers to his visit to Badgemore. My learned friend requested that the last passage in that letter should be read, for the purpose of showing that she had read an article in *Blackwood's Magazine* about arsenic. That shows plainly, at anyrate, that it was written in the month of September. At the bottom of the page is this passage:—'I did tell you at one time that I did not like—(William is first written, but scored out)—Minnoch, but he was so pleasant that he quite raised himself in my estimation.' That must have been in September 1856, and you will see that in the correspondence to the end of the year there are constant allusions to Minnoch, by way of preparing L'Angelier for something in connection with that man. And it turns out, in point of fact, that L'Angelier did become extremely jealous of his attentions. The next letter has the postmark, 'Helensburgh, 29th September.' She begins by saying:—'I did not write you on Saturday, as C. H. was not at home, so I could not get it posted. . . . I don't think I can see you this week. But I think next Monday I shall, as P. and M. are to be in Edinburgh. But my only thought is Janet; what am I to do with her? I shall have to wait till she is asleep, which may be near eleven o'clock. But you may be sure I shall do it as soon as I can. Further on she goes on to say:—'Mr Minnoch has been here since Friday. He is most agreeable. I think we shall see him very often this winter. He says we shall, and P. being so fond of him, I am sure he shall ask him in often.' You will recollect that Mr Minnoch's house is next to Blythswood Square. In illustration of what I have said, that these letters do not require postmarks to prove the dates, I may just say that the last letter is clearly written some time after the end of August 1856, and that this one is as clearly written just before the family left Helensburgh to go, for the first time, to the Blythswood Square house, referring, as it does, to Mr Minnoch's vicinity to the family. In the next letter, writing from Helensburgh on Tuesday—postmark illegible—she says:—'I forgot to tell you last night that I shall not be able, of an evening, to let you in. My room is next to B., and on the same floor as the front-door. (You will find by-and-by that she got over that difficulty.) I shall never be able to spend the happy hours we did last winter.' The next letter to which I refer is one dated Sunday evening, with the Helensburgh postmark of Monday, 20th October, in which she says:—'Papa is very busy with some election matters.' This refers to the civic elections in November, and fixes the date of the letter beyond question at the end of October. On the Sunday evening, then, before Monday the 20th October, she says:—'Janet is not well; she has a bad cold. Do you know I have a great dislike to C. H. I shall try and do without her aid in the winter. She has been with us four years, and I am tired of her, but I won't show it to her.' The next letter is dated 'Friday night, twelve o'clock,' and is posted in Glasgow on the 18th November. In this letter she says:—'Sweet love,—You should get those brown envelopes; they would not be so much seen as white ones, put down into my window. You should just stoop down to tie your shoe, and then slip it in.' This is the first letter, then, in which instructions are given as to how the correspondence is to take place at the Blythswood Square house. I shall now wish you to look at the plan of the house. After referring to the various apartments in the front and back floors, and to their connection with each other, his Lordship continued:—This letter, among other things, contains this passage:—'I saw Robert Anderson; he was speaking of the Huggins', but did not speak of you. I am so fond of any one speaking of you, beloved L'Angelier.' Then, after some expressions of the kind I have alluded to, the letter ends thus:—'I have been ordered by the doctor, since I came to town, to take a fearful thing, called peasemeal—such a nasty thing. But I don't think I can take this meal. I shall rather take cocoa.' And you have it in evidence that she did so. His Lordship, in again referring to the plan of the house, said—I make a remark to

this just now for the purpose of stating that a person coming into the front door could get into the dining-room without attracting any attention whatever from those occupying the bedrooms at the back of the house. It is also apparent from the plan that any one could go to the kitchen from Miss Madeleine's bedroom on the sunk floor without attracting attention; and, what is more, a person going out from Miss Madeleine's bedroom could go up the inner staircase without attracting the attention of those occupying the bedrooms in the back of the house, or any of the other bedrooms. I think you have here the position of these rooms; and now, gentlemen, I will call your attention to a letter dated Monday evening, having no postmark, but stating that it is 'the first letter I have written in my Blythswood Square house.' In this letter there are various repetitions of matters, mentioned in former letters that I have referred to. This, then, brings them to the house in Blythswood Square, and now you will see the course that the correspondence takes. In one letter she says:—'I don't think I can take you in as I did in India Street,' plainly showing that she had taken him in there. Then she says in the next letter, which is dated 'Thursday evening, eleven o'clock,' and bears the postmark of 'Friday, Nov. 21,' and which was evidently written in Blythswood Square house:—'Now, about writing, I wish you to write me and give me the note on Tuesday evening next. You will, about eight o'clock, come and put the letter down into the window—(just drop it in—I won't be there at the time)—the window next to Minnoch's close door. There are two windows together with white blinds. Don't be seen near the house on Sunday, as M. won't be at church, and she will watch. In your letter, dear love, tell me what night of the week will be best for you to leave the letter for me. If M. and P. were from home, I would take you in very well at the front door, just the same way as I did in India Street, and I won't let a chance pass—I won't, sweet pet of my soul, my only best loved darling.' I have told you, gentlemen, that she could perfectly well take him in at the front door. She could leave her own room, go up stairs, and she had only to open the hall-door sufficiently to enable L'Angelier to get into the dining-room, so as to prevent the possibility of being heard from any of the back rooms of the house. And this letter proves that it was not a mere theory, but what she proposed to do. The next letter bears no date, but it is posted 6.23 P.M. on Friday 26th Dec. 1856. Gentlemen, I only allude to this letter for the purpose of making an observation with regard to dates. She says she is going out on Wednesday night, but that she will try and write on Thursday. There is a postscript to the letter, which bears this:—'Thursday, 11th December, six or eight o'clock.' Now this you might at first take for a date, but it is simply the date of an assignation. And this proves two things: first, that the letter was written before Thursday, and after the Thursday of the preceding week, as the postmark bears Friday. Then the next letter is on a Tuesday morning, and bears the postmark of the 14th of the month. Gentlemen, it seems plain that there was at this time a serious intention on the part of these persons to make an elopement. You had it proved by many witnesses. You had it proved by the landlady, Mrs Clark, as to the intention to have the banns proclaimed on Sunday, and the marriage to take place on Monday. There are, besides, various allusions in the letters to getting married by a Justice of the Peace. The letter No. 71 I only refer to for the purpose of showing that, on a particular occasion, the proclamation of the banns was spoken about; and you will find mention of it otherwise. No. 73 bears the date of Thursday night, and the 16th December was Friday; the postmark bearing date the 17th of a month which is not legible. In the next letter she says:—'I am going to a concert to-morrow, but it is the last one. I don't know if Minnoch is going. James and Jack (her brothers) have sent out fifty invitations for the 29th. Jas. is to be at home on Friday.' That is dated Tuesday, and the next letter is dated Thursday. Now, Thursday was the 18th December, and it bears the postmark of the 19th. Now, you see, gentlemen, that in almost every instance in the letters which I have read to you, the day of the week precisely corresponds with the postmark on the envelope. It has been proved that this was one of the letters found in the desk of the deceased, and taken to the Procurator-Fiscal's office, where it was marked by Mr Stevenson. No. 75, which is the next of the series I have to allude to, was plaidly written after the last letter I read, and I mention this to show how the dates correspond, because in this letter she says she was going with Mr Minnoch to a concert, and she says:—'You say you heard I took M. to the concert against his inclination, and forced him to go. I told you the right way when I wrote. But from your statement in your letter of to-night you did not believe my word. Emile, I would not have done this to you. Even now I would write and tell you. I would not believe every idle report. No; I would not. I would, my beloved Emile, believe my husband's word before any other. But you always listen to reports about me if they are bad. You know I could not sit a whole evening without talking, but I have not flirted.' Gentlemen, there is evidence here, which you have under the hand of the prisoner farther on, that after the first paroxysms had subsided, her affection towards L'Angelier had cooled. The reason of that it is not necessary that we should discern. He seems to have been rather exacting; but whatever the reason might be, it is quite plain that a change came over her affection about this time. I have now brought them down to the 18th December 1856, and she says herself in a subsequent letter that her coolness began in November, when they came to Glas-

gow. Not only so, but she begins to do what L'Angelier calls flirting with Mr Minnoch. Mr Minnoch has told you that during the whole of this winter there was a tacit understanding between them that they were lovers. She alludes to this in her letter when she refers to the reports about her, and denies that there is any truth in them. On the next day she says:—'For your sake I shall be very cold to everybody.. I am rather more fond of C. H. She is very civil. I will trust her.' Gentlemen, there is in the rest of this letter what I will not read, but there is a plain and obvious reference to the possibility of her becoming a mother, which, under the circumstances, it is impossible not to see the force of. Then the next letter occurs on Thursday. Thursday was the 25th of December, and it is posted on the 26th or 28th of the month. But the one following, No. 79, is one of great consequence, because it refers to the meetings in the Blythswood Square house. It is dated Monday. Monday was the 22d of December, but there is no date, or the postmark has been obliterated. I think, however, there is internal evidence that it was written on a Monday. She says:—'Beloved Emile—We must meet. If you love me you will come to me when P. and M. go to Edinburgh, which will be the 7th or 10th January,' and then she goes on to speak of Christmas dinners, and says that they are 'great bores.' She then goes on to say:—'Will you give me a letter on Friday at six o'clock, as I have promised to go with Jack to the pantomime,' and at the top of the page she speaks about James giving a party. You remember, with reference to Jack and James giving a party two days preceding, and as this letter alludes to the party, it proves unquestionably that it must have been written about the date I have assigned to it. And as it bears the date of Monday night, I think I am right in assuming it to be Monday the 22d. There is the further allusion to a merry Christmas and to going to Sauchiehall Street, which shows it to have been about that time. It was plainly written before Christmas 1856. You will find a reference in a subsequent letter to her having gone to the pantomime. She says:—'P. and M. thought of going to Edinburgh,' and then she continues:—'If P. and M. go, will you not, sweet love, come to your Mimi? Do you think I would ask you if I saw danger in the house. No, love, I would not. I shall let you in; no one shall see you. We can make it late—twelve, if you please. You have no long walk. No, my own beloved. My sweet dear Emile. Emile, I see your sweet smile. I hear you say you will come and see your Mimi, clasp her to your bosom, and kiss her, call her your own pet, your wife. Emile will not refuse me. . . . I need not wish you a merry Christmas, but I shall wish that we may spend the next together, and that we shall then be happy.' This means that he shall come into the house as he had done before, and it speaks of his clasping her to his heart. The next letter bears the date of the 27th, and keeping in mind what was said about the pantomime—and that Saturday is the date of the letter—the postmark shows that it must have been posted on the 24th of December. In this letter she says:—'Now, I must tell you something you may hear. I was at the theatre; and people, my love, may tell you that M. was there too. Well, M. was there, but he did not know of my going. He was in the Club Box, and I did not even bow to him. To-day, when B., mamma, and I were walking, M. joined us, took a walk with us, and came home. He was most civil and kind. He sent Janet such a lovely flower to-night, to wear on Monday evening. Now, I have told you this, sweet pet, I know you will be angry; but I would rather bear your anger than that you should perhaps blame me for not telling you, as some one will be sure to inform you of me.' Then she says:—'Will you drop me a note at six, eight, or ten o'clock? I hope you may be happy, but what are you to do on New-Year's day?' This proves beyond all possibility that it was after the letter in which she had proposed to go to the pantomime. There is no interval between the 27th of December till Friday evening, January 9th. And now, gentlemen, having traced the correspondence down to this date, proving the greatest intimacy between the parties, proving the correspondence to be of such a character that no eye could see it without her character being utterly blasted, proving also vows, over and over repeated, that, after her intimacy with him, she could be his wife and that of no other, as to be so would be a sin—having intimated in as strong language as she could that for Mr Minnoch she had no affection whatever—that she had at no time whatever flirted with him or any one else, being his wife—having proved all this down to the end of 1856, we now come to the crisis, and I must ask you to keep the dates in mind from this time forth. The next act in this tragedy begins, you will see, on the 9th January 1857. This is the only letter that bears a date, and it is dated 'Friday, 9th January,' and was posted in the receiving-office in Glasgow, January 10th. The envelope therefore shows the correspondence, with the date. In this letter she says:—'It is past eleven o'clock, and no letter from you, my own ever dear beloved husband. Why this, sweet one? I think I heard your stick this evening. Pray, do not make any sounds whatever at my window. If it were possible, sweet one, would you not leave my notes at six as at ten o'clock? The moon is up, and it is light. Sweet Emile, I am truly your fond love. You have all my heart and soul.' And then she goes on to say:—'How do you keep yourself warm in bed? I have Janet beside me, but I often wish you were with me. Would you not put your arms around me, and keep me warm? Ah, yes, I know you would.' Then at page two she has an observation which I think

you will find of some consequence. She says :—'I wish I could see you ; but I must not look out of the window, so just leave your note and go away.' This was a general intimation, as much as to say, If you come to my window, and I don't look out, you must assume there is some reason why I don't pretend to see you, so just leave my note and go away. The next letter is dated Saturday night. Saturday was the 10th of January, and it bears the postmark of 11th January. It says :—'My own dear beloved Emile,—I cannot tell you how sorry I was last night at not hearing from you. . . . If you would risk it, my sweet, beloved pet, we would have time to kiss each other and a dear fond embrace ; and though, sweet love, it is only for a minute, do you not think it is better than not meeting at all ?' Observe that the preceding day was January the 9th. In the next letter there is nothing material. She tells him that her father wished they had a larger place than Row, and that they would not likely go back there again. Now, at this very time, Mr Minnoch has told you that a few days afterwards he asked the prisoner to be his wife, and yet she writes to L'Angelier on Monday night—'Sweet love, come if you can.' The next letter is dated Monday, and this must be Monday the 12th. It seems that they had been in the habit of having interviews under the windows—in one instance it appears that he left a letter at the window, and got, I suppose, an answer to it in the same way. This letter was posted on the 14th, and I am not very sure if there is anything material in it, excepting that she says in a postscript that she does not hear of their going from home, and that she is afraid there is no chance for them, and that she does not see how they could be married in Edinburgh. She also speaks of Mr Minnoch, and that if L'Angelier saw him she thinks he would like him, as she liked him better than she used to do. Then, gentlemen, came Friday afternoon, and posted the same day, because, when she writes during the day, she posts her letter the same day, and, if at night, not till the day after. In this letter she asks L'Angelier if his cold is better, and wishes he would get well as soon as he could. There is also a reference to Sir Edward Lytton Bulwer, who was about that time made Lord Rector, and she wishes, if she should go to Edinburgh, that a note should be left for her on Sunday at six o'clock, or on Monday at the same hour. The next letter is dated Monday, five o'clock. Now Monday was the 19th January, and it bears the postmark of Glasgow 19th January. It is one of those that were found in the desk of L'Angelier, and taken to the Fiscal by Mr Stevenson. In this letter she says :—'My sweet Emile, I hope you are well.' Gentlemen, let me make this remark, that though the expressions from this time forward are much to the same in effect, there is a manifest chill in them—the letters are shorter and curter than before. She goes on to say in it :—'I am your wife ; I did love you so much when you were at the window last night.' And so accordingly he was at the window on Sunday the 18th January. Now, gentlemen, go back to the letter of the 9th January ; you will see that it contains this passage :—'When we shall meet again I cannot tell.' In the letter of the 10th January she says :—'My dear sweet pet, I would so like to spend three or four hours with you to talk over some things, but I don't know when we can meet. Perhaps in ten days I may see you for a minute—same arrangement as last. If you would risk it, my sweet beloved pet, we would have time to kiss each other, and a dear fond embrace, and though, sweet love, it is only for a minute, do you not think it is better than not meeting at all.' In the course of ten days they were to meet ; they had met before, but their meeting was postponed for the present. I have been reading to you previously from the letter of Monday, 19th January. Now, there is a letter, No. 97, enclosed, bearing the date Glasgow, January 27, and written on Friday ; this letter was shown to the prisoner, and she recognises the envelope. But in this envelope there is another letter, bearing no date but 'Sunday night.' At first it is not easy to say how it was enclosed in the envelope of Friday the 23d January, but that letter is written in pencil, and in all probability was never in an envelope at all. It says :—'Emile, my own beloved, you have just left me. Oh, sweet darling, at this moment my heart and soul burns with love for thee, my husband, my sweet one. Emile, what would I not give at this moment to be your fond wife. My night-dress was on when you saw me ; would to God you had been in the same attire.' Now, I think it plain that the true date of this letter is Sunday the 18th, because the letter of Monday the 19th says :—'I did love you so much last night when you were at the window.' The next date is 'Wednesday forenoon, five o'clock, the postmark '21st January 1857,' and Wednesday was the 21st of January 1857. This is a very short letter. It says :—'I have just five minutes to spare. Why no letter, pet ? On Monday night it was such a disappointment to your Mimi. I cannot see you on Thursday as I hoped.' The next letter is dated 'Thursday, twelve o'clock ;' the envelope bears the postmark of 23d January, and Friday was the 23d of that month. The letter, therefore, was written on Thursday. She had said in the former letter :—I cannot see you on Thursday as I hoped.' Then she writes in this letter :—"I was so very sorry that I could not see you to-night. I had expected an hour's chat with you ; but we must just hope for better the next time.' That letter also was found in the desk, and was spoken to by the prisoner in her declaration. She says in it :—'M. is not well enough to go from home ; and my dear sweet little pet, I don't see we could manage

in Edinburgh, because I could not leave a friend's house without their knowing it. So, sweet pet, it must at present be put off till a better time. I see no chance before March, but rest assured, my dear love, Emile, if I see any chance I shall let you know of it.' That this was written about the 23d there is no question, because she identifies it in her declaration. Now, gentlemen, mark this—On the 28th of the month of January the prisoner accepts Minnoch. The two next documents are two envelopes, and they bear date the 24th and 26th January. You will immediately see why there are no letters in them. I will pass them over in the meantime, and I now come to two letters of the deepest possible consequence. They are enclosed in envelopes, and the postmark is Glasgow, ———, 1857. They are deliverable in the morning. Just before I read them let me refer to the evidence of Mr Kennedy upon this most material point. She had, as I have told you, accepted Mr Minnoch on the 28th. Kennedy says that on a morning in February—he thinks a fortnight before the 23d—L'Angelier had come to the counting-house with tears in his eyes, and said that Miss Smith had written to him for her letters, and breaking off the engagement; that she said there was coolness on both sides; that he had got the letter that morning: that he would not give up the letters; and that she should not marry any one else while he lived. L'Angelier tells this to Kennedy on the day that the letter came; you can have no doubt, therefore, that the two letters I am about to read to you were sent to L'Angelier. She says:—'I feel truly astonished to have my last letter returned to me, but it will be the last you shall have an opportunity of returning.' There are two envelopes produced, I have said, and one of the letters which they contained must have been returned to Miss Smith by L'Angelier. 'I feel astonished,' she says, evidently because the letter from him was not couched in the ordinary language of affection. There is a '2' on the postmark, and that it was written on the 2d is beyond all question; and of course it arrived on the 3d. It says:—'When you are not pleased with the letters I send you, then our correspondence shall be at an end; and as there is a coolness on both sides, our engagement had better be broken.' Now, these are the very words that Kennedy told you L'Angelier repeated to him on the morning when he entered the counting-house so much distressed. She says:—'You have more than once returned me my letters, and my mind was made up that I should not stand the same thing again. And you also annoyed me much on Saturday by your conduct in coming so near me; altogether, I think, owing to coolness and indifference (nothing else) that we had better for the future consider ourselves strangers. I trust to your honour as a gentleman that you will not reveal anything that may have passed between us. I shall feel obliged by your bringing me my letters and likeness on Thursday evening at seven. Be at the area gate, and C. H. (Christina Haggart) will take the parcel from you. On Friday night I shall send you all your letters, likeness, &c. I trust that you may yet be happy, and get one more worthy of you than I. On Thursday at seven o'clock.' She says that she had found coolness and indifference on both sides, and for that reason, and as she affirms for nothing else, the engagement had better be broken off. But remember, gentlemen, four days before that letter was written, she had been engaged to Mr Minnoch. She was to return L'Angelier's letters to him; therefore she had them. On the 2d of February she had his letters; she was to return them on the Friday; and she was also to return L'Angelier's likeness. It was found in her chamber. What became of these letters we have no explanation of whatever. There is a postscript to this important letter. She says:—"You may be astonished at this sudden change, but for some time back you must have noticed a coolness in my notes. My love for you has ceased, and that is why I was cool. I did love you truly and fondly, but for some time back I have lost much of that love. There is no other reason for my conduct, and I think it is but fair to let you know this. I might have gone on and become your wife, but I could not have loved you as I ought. My conduct you will condemn, but I did at one time love you with my heart and soul. It has cost me much to tell you—sleepless nights—but it was necessary that you should know. If you remain in Glasgow or go away, I hope you may succeed in all your endeavours. I know you will never injure the character of one you so fondly loved. No, Emile, I know you have honour and are a gentleman. What has passed you will not mention. I know, when I ask you, that you will comply!' Gentlemen, what a labyrinth!—what a wilderness this unhappy girl, first by her love, and then by her want of truth, was driving truth into! She tries to break off this engagement because she says there was a coolness on both sides, which I daresay, on her part, was not affected. She says she has no other reason for her conduct but that she has lost her love for L'Angelier—she says this when she knows that the actual reason is that she has pledged her word to another. She tells L'Angelier that her affection was withdrawn, in the hope that his indignant spirit would induce him to turn her off, when she would be free to form another engagement. But, gentlemen, she had the dreadful recollection of the existence of the correspondence. She did not know how much L'Angelier had, but she knew that she was completely in his power. Gentlemen, she did not hear from L'Angelier for more than a week. She accordingly wrote this second letter, which bears the postmark of the 9th February; and its contents prove that it was then written. "I attribute to your having

cold that I had no answer to my last note. On Thursday evening you were, I suppose, afraid of the night air. I fear your cold is not better. I again appoint Thursday night first—same place—street gate—seven o'clock.—M.' Now, gentlemen, the first Thursday in February was the 5th, and the next consequently was the 12th, therefore this letter was written after the 4th, and some days before the 12th. She adds in the same letter :—'If you bring me the parcel on Thursday, please write a note saying when you shall bring it, and address it to C. H. . . . Send it by post.' She had got no answer to the demand for her letters, and she writes this cold letter in the tone of the former, saying everything is broken off, and making a second appointment for the delivery of the letters. Gentlemen, L'Angelier refused to give them up the letters. He refused to give them up to her. He told Miss Perry, and he told Mr Kennedy, that he would not give up the letters, but that, on the contrary, he would show them to her father. Now, gentlemen, in other circumstances, and had matters not gone so far between these unfortunate persons, it might have been considered a dishonourable and ungenerous thing in a man in L'Angelier's position. But whether it was or no is not material to the matter in hand. I must say, however, that in the position in which the prisoner and L'Angelier stood, I do not see how he, as a man of honour, could allow this marriage with Mr Minnoch to take place and remain silent. It may be doubted whether or not they were man and wife by the law of the land. It is needless to discuss this question. There are materials in this correspondence to show that this view might be maintained by L'Angelier had he choosed to do it, and that he considered the prisoner his wife, though they had not been married in a regular and respectable manner. He considered her his wife, and so thinking he had a right not to give up the letters. I do not think, therefore, that much can be said about L'Angelier not giving up these letters. It matters not. The fact is he refused, and the fact is you will find he made the threat to herself, as he said to Kennedy he would do, as well as to Miss Perry and others. Gentlemen, just listen to this. It is a letter dated Monday night ; Monday night was the 9th February ; it is posted in Glasgow on the 10th, the month eligible ; the appointment is made for the 13th, and recollecting the strain of the letters that went before, listen to this :—'Monday night.—Emile,—I have just had your note. Emile, for the love you once had for me do nothing till I see you. For God's sake do not bring your once loved Mimi to an open shame. Emile, I have deceived you. I have deceived my mother. God knows she did not boast of anything I had said of you, for the poor woman thought I had broken off with you last winter. I deceived you by telling you she still knew of our engagement. She did not. This I now confess, and as for wishing for an engagement with another, I do not fancy she ever thought of it. Emile, write to no one —to papa or any other. Oh do not till I see you on Wednesday night. Be at the Hamiltons' at twelve, and I shall open my shutter, and then you come to the area gate, and I shall see you. It would break my mother's heart. Oh, Emile, be not harsh to me. I am the most guilty miserable wretch on the face of the earth. Emile, do not drive me to death. When I ceased to leave you, believe me it was not to love another. I am free from all engagement at present.' Unfortunately, the course of deliberate falsehood into which this unhappy girl had brought herself is not one of the least of her crimes. 'Emile, for God's sake,' she continues, 'do not send my letters to papa ; it will be an open rupture. I will leave the house. I will die. Emile, do nothing till I see you. One word to-morrow night at my window, or I shall go mad. Emile, you did love me. I did fondly, truly love you too. Oh, dear Emile, be not so harsh to me. Will you not! But I cannot ask forgiveness—I am too guilty for that. I have deceived. It was love for you at the time made me say mamma knew of our engagement. To-morrow one word, and on Wednesday we meet. I would not again ask you to love me, for I know you could not.' I would remark that throughout all this despair there is no talk of renewing her engagement with L'Angelier. Her object was to be in a position to fulfil her engagement with Minnoch :—'But, oh, Emile, do not make me go mad. I will tell you that only myself and C. H. knew of my engagement to you. Mamma did not know since last winter. Pray for me—for a guilty wretch—but do nothing. Oh, Emile, do nothing. Ten o'clock to-morrow night—one line, for the love of God.—Tuesday morning.—I am ill. God knows what I have suffered. My punishment is more than I can bear. Do nothing till I see you. For the love of Heaven do nothing. I am mad. I am ill.—Sunday night.' Now, gentlemen, we have traced the matter up to this point. She is so committed that she cannot extricate herself, and yet, if not extricated, her character, her fame, her reputation, her position, are forfeited for ever. But she does receive a letter from L'Angelier which he don't possess ; but on the Tuesday evening she again writes to him. This is one of the letters found in his desk. It was not posted at all. It was delivered, and was found in an envelope ; but it refers plainly to the letter that went before, and to the assignations that were made. I shall read every word of that letter, long as it is, for it is perhaps the point on which this case turns :—[Read letter 107, down to 'I put on paper what I should not.'] Doubtless, poor creature, she had done that, and throughout this unhappy history of the gradual progress of an ill-regulated mind, one cannot see all this without—what I am sure I feel from the bottom of my heart—the deepest commiseration. Doubtless L'Angelier

had abused his opportunities in a way that no man of honour ought to have done, and had stolen into that family and destroyed their peace for ever. She had no doubt put on paper what she should not. [The Lord Advocate then read other portions of the letter.] Gentlemen, I never in my life had so harrowing a task as raking up and bringing before such a tribunal and audience as this, the outpourings of such a dispairing spirit, and in such a position as this miserable girl was. Such words as these paraded in public under any circumstances would be intolerable agony, but the circumstances of this case throw all these considerations utterly into the shade, and if for a moment they do obtrude themselves upon us they must be repelled, for our duty is a stern one and cannot yield to such considerations. Then, gentlemen, pausing there for a moment, let me take in some surrounding circumstances, at the same time. L'Angelier, whatever were his faults, was certainly true to her. He spoke to Kennedy about her. He said his love for her was infatuation, and that it would be the death of him. It was not revenge that he wanted; he wanted his wife, and he plainly told her that he would not permit their engagement to be broken off, and that he would put these letters into her father's hands. As I have already said I do not know that in the circumstances he was altogether wrong in so doing. But, gentlemen, at this time, a very remarkable incident takes place: More than four, and less than eight, as one witness says, about six weeks, as two of the witnesses say, prior to the apprehension of the prisoner, and the news of the death of L'Angelier becoming public, that is to say, between four and eight weeks prior to the 26th March, or in other words, on the second week of February, the prisoner asked the boy, the page who served in the family, to go to a druggist's with a line for a bottle of prussic acid. The date, I think, is brought out quite clearly within that period for any purpose I have in view, and six weeks before the 26th March would just be between the 6th and 12th of February. You have seen the state of mind she was in. Some extrication was inevitable if she hoped to save her character, and with a strength of will which I think she exhibited in some more passages in this case, she resolved she would not go back to L'Angelier; she had ceased to love him; she had determined to marry another. And throughout all this, while she is in utter despair, and tries to move him by her protestations, there is not the slightest indication of an intention to go back and love him, and be his wife. Quite the contrary; but on that day, at the door of her bedroom, she gives Murray a line for prussic acid. For what pupose? For what purpose on earth could she want it? and for what purpose did she say she wanted it? For her hands. This is the first indication we have that her mind is running in that way. This is the first suggestion we have of the means she proposes for her extrication. Why did she want prusic acid for her hands? As a cosmetic. Did you ever hear, gentlemen, of prussic acid being used for the hands? There has been, among a great deal of curious medical evidence in this case, no suggestion that prussic acid was ever used for the hands. But it will not escape your notice, that not only is her mind now beginning to run on poisons, but it is also beginning to run on the excuses for wanting them. She did not get the prussic acid; but it is perfectly clear that the time when she wanted it was the date of these despairing letters, immediately before the meeting which she appointed for Wednesday the 11th, and regarding which she says:—'If I cannot get you in at the back door, I will take you in at the front door.' Another incident happened at this time. Christina Haggart says that, one day, some weeks before the apprehension of Miss Smith, but not two months, an interview took place between the prisoner and L'Angelier in the house in Blythswood Square. Christina Haggart did not see L'Angelier, but she told you plainly she knew it was he, and that he and the prisoner remained alone for nearly an hour in her room, and that she (Christina Haggart) remained in the kitchen while L'Angelier and the prisoner were together. There can be no doubt about the date, though my learned friend tried to throw some obscurity over it. What she said was that less than two months, but weeks before the apprehension of the prisoner, this took place. Now, you recollect that the letters I have been reading to you, from No. 85 onwards, dated January 9, showed that for some time there had been no meeting between the parties. In 87, she says—'I may see you possibly in ten days;' but before the ten days are out the quarrel has begun, the coolness has been commenced, she had asked her letters back, and you have these despairing remonstrances from her, and a meeting fixed for Wednesday the 11th Feb. There can, therefore, be no question whatever that that meeting did take place, and take place in terms of this appointment. There is no other occasion that it could possibly have taken place consistently with Christina Haggart's evidence. Two months before the apprehension of the prisoner would bring you back to the 30th January. It was not two months, though it was weeks, says the witness, and that fixes the time pretty clearly. But, gentlemen, when M. De Mean asked the prisoner how she and L'Angelier met, she denied he had ever been in that house at all, plainly and positively. I have shown to you from her letters he had been more than once in that house before, but probably not in the course of 1857. But she positively denied he ever had been there at all. You will find allusions in these letters to embraces, interviews, and things that could only have taken place in the house, and she says distinctly that he might come without fear, for no one would see him, and that they might have an interview. That one interview took place, we have the direct testimony of one witness. What took place at that interview we

cannot tell; but we find this, that in one way or another, this feud had been made up—that the whole thing had been arranged; and how arranged? Not certainly, gentlemen, on the footing of giving up the letters—not certainly on the footing of the prisoner not continuing her engagement with L'Angelier; but, on the opposite footing, upon the footing of the engagement continuing. How was that to extricate the prisoner? What did she propose to herself to do? She had found that L'Angelier would not give up the letters. She did not go on to endeavour to induce him to do so by despairing protestations. She took another line, and that line was pretending—because it could not be real—pretending to adopt the old tone of love and affection; all this time keeping up the engagement with Mr Minnoch, receiving the congratulations of her friends, receiving presents from him, and engaged in fixing the time of her union. But they met that day; and the next letter was found in the desk, and was one of those brought by Stevenson to the Procurator-Fiscal. It bears date 'Osborne Buildings, Receiving Office, Glasgow, 14th February 1857.' It was written apparently on Saturday the 14th:—'My Dear Emile,—I have got my finger cut and can't write; I was glad to see you looking so well yesterday.' I don't think that refers to their interview; she was in the habit of passing his window, and looking up at his window, for you find that referred to in subsequent letters, and the probability is that that is what is here referred to. The interview took place, as I have shown, on Wednesday night:—'I want the first time we meet that you will bring all my cool letters back—the last four I have written—and I will give you others in their place'—these are the only letters she asks for now—the cool letters; she asks for those letters that she had written in her cool moments, to convince L'Angelier that she is as true to him as ever; but she makes an appointment for Thursday, and if that letter was written according to the postmark, plainly the quarrel has been made up, and it must have been after the date of these despairing letters. The day was Thursday, 19th February. Be kind enough to bear that in mind. We are now coming to the very crisis of the case. On Tuesday the 17th February L'Angelier dined with Miss Perry; he told her he was to see Miss Smith on the Thursday. Thursday was the 19th, and you find in this letter a corroboration of that statement of Miss Perry's; he told her that he was to see Miss Smith on the 19th; she says—'Write me for next Thursday;' he must have called with the letter; he had that appointment with her, and he had told Miss Perry that he had seen her on the 19th—some day before the 22d of February, as I say the 19th of February, and you will see whether that is proved or not immediately. L'Angelier in the middle of the night is seized with a sudden illness. You have heard it described by his landlady, Mrs Jenkins; it was vomiting, purging, vomiting of a green stuff, and excessive pain. He lay on the floor all night; he was so ill that he could not call for assistance for some time; and his landlady found him in the morning. At last he was relieved, but only after a great deal of suffering. These symptoms were the symptoms of arsenic. My learned friends say that it might be cholera. Never mind at present whether it might be cholera or not—these symptoms were the symptoms of arsenic, the smyptoms of an irritant poison. I shall consider by-and-by whether the symptoms of cholera are precisely the same. It is enough that they were the symptoms of arsenical poisoning. He recovered; and he went out on the day after, on the 20th. On the 21st, the prisoner purchased arsenic at the shop of Mr Murdoch—a very singular purchase, gentlemen, for a person in her position to make. But it was not the first time in the history of this case that she had tried to buy poison. She had tried to buy poison before that meeting of Wednesday the 11th. I shall not stop to discuss the question of the reason which she gave for it, because my object at present is simply to give you the facts historically, although, if you should find that the excuse she gave for the buying of the poison was a false one, it is evident how strong and inevitable the conclusion is which you must necessarily draw from that single fact. But she went to Murdoch's shop; she asked for the arsenic openly, but the story she told in regard to its use was, upon her own confession, an absolute falsehood; she said she wanted it to poison the rats at Row. A different excuse is afterwards given for the purchase of it, but you have this singular and startling fact, that on the 21st she goes into Mr Murdoch's shop alone; she asks for arsenic; says that the gardener at Row wants it to poison rats; she says he has tried phosphorus paste, but that will not do, and that he wants to try arsenic. Gentlemen, that was an utter falsehood—an admitted falsehood. We shall see immediately what she says the real reason was, and it was different from the one she gave in the shop. Having purchased that arsenic on the 21st, according to my statement, L'Angelier saw her on the 22d, which was a Sunday, and on the night of the 22d and the morning of the 23d he was again seized with the very symptoms that he had had before—the identical symptoms, in a somewhat milder form—viz., the green vomiting again, the purging again, pains again, the thirst again—everything, in short, which you would expect in a case of arsenical poisoning. Gentlemen, I described these symptoms to Dr Christison, and you heard what he said he would have concluded. Dr Thomson, who attended the patient, said that the symptoms which he himself saw were the symptoms which he would have expected in a case of arsenical poisoning. And for the present, for the purpose of what I am now maintaining, it is quite enough for my story that the symptoms

were in substance those which follow from arsenical poisoning. And that is on the 22d. There is no doubt about that date. It is Monday the 23d and Sunday the 22d, it is the evening of Sunday and the morning of Monday about which we are now speaking. Now, gentlemen, it is most material to give me your attention at this particular part of the case. If you believe Miss Perry—and I think you will find no reason to disbelieve her—L'Angelier told her that he had seen the prisoner on the 19th, that he had been ill immediately after the 19th, and that he had afterwards been ill—after the 22d and 23d—I don't know that she named these dates, but she certainly said he was twice ill before she saw him, and he told her this that these two illnesses had followed after receiving coffee one time and chocolate another time from the hands of the prisoner. Now, if that be true, and if he certainly said so, then it is certain that he saw her upon the 19th and that he saw her upon the 22d; and in corroboration of that will you listen to this letter which was found in the tourist's bag, and which unquestionably was in the state in which it was then found. And I think you will consider this letter of the deepest importance to the facts of this case. It was posted at Glasgow, the date was illegible, and we had a great deal of discussion with the witness from the Post Office as to what really was the postmark. He thought at last he saw a letter which indicated March. My learned friends disputed the accuracy of his inspection, and I am inclined to dispute it too, and, indeed, I do dispute it. The man was wrong. I believe the postmark is entirely obliterated. If you have any curiosity, or rather, if you think you should look at it, as my learned friends proposed you should, I am sure I have no objection whatever, but I will tell you the real date of it, and I shall prove it irrespective of the postmark. Its date was Wednesday the 25th February; and now I shall read it:—'You looked bad on Sunday night and Monday morning.' That could only be Sunday the 22d, and Monday the 23d February. 'I think you got sick with walking home so late, and the long want of food, so the next time we meet I shall make you eat a loaf of bread before you go out. I am longing to meet you again, sweet love. My hand aches so, and I am looking so bad that I cannot sit up as I used to do; but I am taking some stuff to bring back the colour. I shall see you soon again. Put up with short notes for a little time.' Now, gentlemen, if that was written on the 25th, it proves that he saw her on Sunday and Monday the 22d and 23d. It proves that he was sick at that time and was looking very bad. According to my statement, he was ill on the 19th. It proves that she was thinking about giving him food, that she was laying a foundation for saying that she was taking stuff to bring back her colour. It proves that she was holding out a kind of explanation of the symptoms which he had, because she says she is ill herself; and it proves that all this took place the day after she had bought arsenic at Murdoch's. L'Angelier said that it took place after receiving a cup of coffee from herself; and she says in her own declaration that upon one occasion she did give him a cup of coffee. As to the date of this letter, these few facts determine it absolutely. In the first place, it was after his illness; it is dated on Wednesday, and it is after his illness, after he was unable to go to the office in consequence of illness, for it says—'I am so sorry to hear you are ill,' &c. The prisoner is shown that letter, and refers to it in her declaration, as alluding to his recent illness. She says it was a mere jocular observation that about the want of food; and that, as she attributed his illness to the want of food, she had made that observation about the loaf bread. If she knew he was ill, it could not be Wednesday the 4th March, because she says in this letter dated Wednesday:—'I cannot see you on Friday, because M. is not away, but I think on Sunday she will be away, and I might see you, but I shall let you know." Now, the first Wednesday of March was the 4th, and there is a letter of 3d March, in which she tells him they are going to the Bridge of Allan on Friday the 6th, and therefore it is perfectly impossible that on Wednesday the 4th she could write him she could see him on Sunday. They were going to the Bridge of Allan on Friday the 6th, and therefore it could not be that Wednesday (the 4th) she wrote on. The next Wednesday was the 11th, and by that time she was at the Bridge of Allan, and L'Angelier was in Edinburgh. The next Wednesday was the 18th, and that is the day L'Angelier was in Glasgow, and it is quite plain she never could have written a letter on that day saying—'I am so sorry to hear you are ill. I hope you will soon be better—take care of yourself,' because on Wednesday the 18th he was greatly better, and had just returned from Edinburgh. Now, that I have shown you how the matter stands up to Wednesday the 25th February, what do you think of it? No doubt the illness of the 19th takes place when I cannot prove the prisoner had any arsenic in the house—that is perfectly true. The prisoner took some pains to prove that arsenic might be had without being purchased in a druggist's shop, but you will look at the surrounding circumstances in the case—at the fact that L'Angelier said his two first illnesses had arisen immediately after receiving a cup of coffee one time and a cup of cocoa or chocolate the other, that she admits she did give him a cup of cocoa, that she had the means of making it in the house, that the illness the second time was the same as the first time, and that upon both occasions these illnesses were symptomatic of arsenic. You will also consider, what weighs on my mind, what was the nature of the arrangement between L'Angelier and Miss Smith. How did she propose to extricate herself from the diffi-

culties in which she found herself placed? She had everything at stake, character, fame, fortune, and everything else. She knew she could not get back her letters by entreaties, and she did not endeavour to get them by that means any longer, but professed to adhere to their engagement. What did she contemplate at that moment! For the first time she begins to purchase, or endeavour to purchase, prussic acid. And now, gentlemen, for the arsenic. What reason does she give for the purchase of arsenic? She says she had been told when at school in England, by a Miss Guibilei, that arsenic is good for the complexion. She came from school in 1853, and, singular enough, it is not till that week of February prior to the 22d that she ever thinks of arsenic for that purpose. Why, gentlemen, should that be? At that moment I have shown you she was frightened at the danger she was in in the highest degree, and is it likely that at that time she was looking for a new cosmetic? But what is the truth as to what she had heard, or very likely read? What is the use of the arsenic, and what does she say? She says that she poured it all into a basin, and washed her face with it. Gentlemen, do you believe that? If she was following out what she found in the magazines, that was not what she found there; for they say that the way to use arsenic is internally. Therefore, do you believe that she got the arsenic for the purpose she says? A very respectable gentleman came into the box yesterday to swear that arsenic might be safely used in that way, and he actually had the courage to try the experiment on Saturday. I should not like to say anything to shake the nerves of that gentleman, but the experiment cannot be said to be yet completed, and what he did on Saturday may produce some illness hereafter. With all deference to Drs Maclagan and Laurie, we have heard from the two first authorities in Europe, that such practices may be attended with danger. Dr Maclagan says that if you shut your mouth and eyes the experiment may be safe; but Dr Penny and Dr Christison tell you plainly they would not like to wash in it. But has the prisoner shown you, or has her counsel, with all their ability, that any man anywhere ever propounded washing with arsenic as a cosmetic? Before you can take such a preposterous story, she must show that in some reasonable and rational manner she was led to believe that this cosmetic might be usefully and safely used. But all that has been referred to is the swallowing of arsenic. She says she used the whole quantity each time in a basin of water. I fear, gentlemen, there is but one conclusion, and that is, that there is not a word of truth in the excuse; and if therefore you think there are two falsehoods here about the poisoning—the first told in the druggist's shop, and the second made in her declaration—I fear the conclusion is inevitable that the purpose for which she had purchased it was a criminal one, and that, taking all the circumstances together, you cannot possibly doubt that the object was to use it for the purpose of poisoning L'Angelier. But this time it failed; he is excessively ill, but recovers. How she got the poison on the 19th I say at once I am unable to account for. But you will recollect what the symptoms were. You will also recollect the letter, and that this letter proves the conclusiveness of what has been said before, that L'Angelier was sick at the time of their meeting. And that reminds me of what I had forgotten. The witness Thuau, you will remember, asked L'Angelier if he had seen Miss Smith on the occasion of his illness, and he said he had. If that took place on the 19th, and I think I have proved it, then you have additional evidence that the 19th was the day. It is quite true that Mrs Jenkins says that she did not think that L'Angelier was out on the 22d, but she said so with hesitation, and it is quite plain that her recollection of the period is not very accurate unless she has something to guide her. But if that letter on the 25th be truly written on the 25th, then unquestionably, he was out on the Sunday night until Monday morning, and told Miss Perry accordingly. He gets better, and on the 27th of February, a letter, found in the tourist's bag, clearly identified, bearing the postmark of 27th February 1857, is sent from the prisoner in these terms:—'My dear sweet Emile,—I cannot see you this week, and I can fix no time to meet with you. I do hope you are better—keep well and take care of yourself. I saw you at your window. I am better, but have got a bad cold. I shall write you, sweet one, in the beginning of the week. I hope we may meet soon. We may go, I think, to Stirlingshire about the 10th of March for a fortnight. That proves if there were anything to prove, that the Sunday night and Monday morning were not subsequent to the 27th February. Observe she says:—'I do hope you are better. I am better, but have got a bad cold.' Therefore this letter of the 27th is quite clearly connected with the letter of the 25th, in which she says, 'I am sorry to hear you are ill; I am not well myself—my head aches so.' Then she writes on Friday to say, 'I hope you are better,' &c. Now, what was L'Angelier about all this time? We have very clear evidence of that from Kennedy, Miss Perry, and Dr Thomson. The man was entirely changed; he never recovered his looks; he never recovered his health; he appeared in the office, as Miller told you, with his complexion gone, and a deep hectic spot on either cheek. He appeared in Miss Perry's on the 2d March, a man entirely altered from what he used to be. He was advised to go away from his office; he followed the advice given him, and did not return till next week; and it is proved by Mrs Jenkins, Dr Thomson, and Kennedy that this was the only occasion on which he was detained by illness from the office. He was recommended to leave town for the good of his health, and he got leave of ab-

sence from the office. While I am here, let me just allude in a single sentence to the conversation that took place between Miss Perry and L'Angelier. Gentlemen, you could not fail to be struck with it. He said his love for Miss Smith was fascination, and he used the remarkable expression—'If she were to poison me I would forgive her.' He had said before and elsewhere to Kennedy that he was perfectly infatuated about her, and that she would be the death of him. He used the expression—'If she were to poison me I would forgive her'—in connection with the statement that his illness had immediately followed his taking a cup of cocoa or coffee from her. Unless it were true that he had got a cup of coffee on one occasion and a cup of cocoa on the other, what could have put it into his head to say—'If she were to poison me I would forgive her?' If you believe Miss Perry's story, that he got a cup of coffee the first time and a cup of cocoa the second, and take into account the effects that followed, would you think it strange that he should say, 'If she was to poison me I would forgive her?' With the other evidence I have brought to bear upon this critical period—from 19th to 27th February—I leave you to judge whether at all events it is not certain—first, that they met on these two occasions; second, that he got something from her on both occasions; and third, that his illness succeeded immediately after having got a cup of coffee in the first place, and a cup of cocoa in the second; and that, in the last place, these illnesses took place under circumstances which led him to say, half in joke, half in earnest, 'If she was to poison me I would forgive her,' Miss Perry does not say this was a serious belief. It would appear to have been a floating notion which coursed through his brain, and I suppose he drove it away. We shall see what happened to drive it away; we shall see protestations of renewed love, which probably made him believe that that phantom, suddenly conjured up, was after all a mere delusion of his brain. In regard to Miss Perry's evidence I will say that it was a remark made in the Fiscal's office which made Miss Perry think again as to the day of L'Angelier's first illness—that at first she thought the 19th was not the day, but she began to reflect, and he found it must be so; because he was dining with her on the 17th in good health. He had been dining with her before in good health, and, as he had told her he had an engagement on the 19th, she knew that that must be the day. While L'Angelier was recovering, the prisoner writes a letter dated Tuesday, the 3d of March. It appears that L'Angelier had proposed to go to the Bridge of Allan, and on Tuesday the 3d of March the prisoner writes this letter to say that they intend to go to Stirling for a fortnight, and to go on Friday the 6th. But it seems that L'Angelier had some thoughts of going to the Bridge of Allan too:—'My dearest Emile,—I hope by this time you are quite well, and able to be out. I saw you at your window, but could not tell how you looked—well, I hope. I am very well. I was in Edinburgh on Saturday, to be at a luncheon of forty at the Castle. It was a most charming day, and we enjoyed our trip very much. On Friday we go to Stirling for a fortnight. I am so sorry, my dearest pet, I cannot see you ere we go—but I cannot. Will you, sweet one, write me for Thursday, eight o'clock, and I shall get it before two o'clock, which will be a comfort to me, as I shall not hear from you till I come home again! I am very well; and I think the next time we meet you will think I look better than I did the last time. You won't have a letter from me this Saturday, as I shall be off; but I shall write the beginning of the week. Write me for Thursday; sweet love, and with kind love, ever believe me to be yours with love and affection.—MIMI.' The terms of this letter prove distinctly, I think, that this letter, which I have presumed to be dated on the 25th, could not by any possibility have been written after that. She writes the next day a letter, posted on the 4th March, and clearly written at that time: 'Dearest Emile—I have just time to write you a line. I could not come to the window, as B. and M. were there, but I saw you. If you would take my advice you would go to the South of England for ten days; it would do you much good. In fact, sweet pet, it would make you feel quite well. Do try and do this. You will please me by getting strong and well again. I hope you won't go to B. of Allan, as P. and M. would say it was I brought you there, and it would make me to feel very unhappy. Stirling you need not go to, as it is a nasty dirty little town. Go to the Isle of Wight. I am exceedingly sorry, love, that I cannot see you ere I go. It is impossible, but the first thing I do on my return will be to see you, sweet love. I must stop, as it is post time. So adieu, with love and kisses, and much love. I am, with love and affection, ever yours.—MIMI.' She had made the attempt at poison on two occasions, and had failed. Apparently her heart was somewhat touched, and probably she thought that if she could get him out of the way she might have her marriage with Mr Minnoch over without his knowledge, after which it would be easy to get her letters, as there would be no motive for keeping them. You will see what L'Angelier says to this proposition to go to the Isle of Wight. It cannot but have struck you that these last letters, though written in the words, are not written in the old spirit of the letters, between these persons. And, as it must have struck you, so it struck L'Angelier himself. And I am now to read to you what I regret to say is the only scrap of evidence under the hands of this young man that I am able to lay before you. But that letter is of some consequence. It shews the tone of his mind, and his position altogether, after what had taken place between them since the reconciliation; and indicates very plainly what at that time his suspicions

were. The Lord Advocate then read L'Angelier's letter, dated 'Glasgow, March 6,' in which he expresses suspicion that there is foundation for the report of the prisoner's intended marriage with Mr Minnoch; demands an explanation about the necklace presented to her; direct answers to the questions she had before evaded, and asks why she wishes so very much that he should go 500 miles off to the Isle of Wight? Observe, gentlemen, that in that letter he says very plainly that, after the meeting of the 22d, he was 'forgetting all the past.' Whatever had floated through his mind on the subject of the strange coincidence of his illnesses on the one hand, and his visits to the prisoner on the other—all that he put away; and he says that he was 'forgetting all the past.' 'But now,' he says, 'it is again beginning. Mimi, I insist on having an explicit answer to the questions you evaded in my last. If you evade answering this time, I must try some other means of coming to the truth.' This was written on the 5th March. He says he won't go to the Isle of Wight, and that the doctor tells him he must go to the Bridge of Allan. The prisoner buys her second ounce of arsenic next day. But before she does it, she writes this letter on the 5th. It plainly was written on the 5th, because the press copy of the letter from L'Angelier bears date the 5th, and it is an answer to that. 'My dear sweet pet,' she says, 'I am so sorry you should be so vexed; believe nothing, sweet one, till I tell you myself. It is a report I am sorry about, but it has been six months spoken about. . . . . We shall speak of our union when we meet.' Keeping it up, you see, gentlemen, till the last; for when she was at the Bridge of Allan she made all her arrangements for her marriage with Mr Minnoch in June. 'I wish, love, you could manage to remain in town till we come home, as I know it will be a grand row with me if you are seen there. . . . . Neither M. nor his sisters go with us.' No, but she knew that they were going there at the same time. 'If you do not go to the Bridge of Allan till we come home, come up Mains Street to-morrow, and if you go, come your own way.' As I told you, next morning she went into Currie's shop, with Miss Buchanan, to purchase arsenic for the alledged purpose of killing rats in the Blythswood Square house. She asked for sixpenceworth, having bought the same quantity on the 21st February. After she gets a letter from L'Angelier, saying, 'If you won't answer my questions, I will not any longer put them to you, but will find another way of satisfying myself,' she writes him: 'Do not come to Bridge of Allan, but go to the Isle of Wight. If you come to Bridge of Allan, come your own way.' But in the expectation that he might come to Bridge of Allan on the 26th.—[Lord Ivory directed the attention of the Lord Advocate to the words in the prisoner's letter last referred to—'I will tell and answer you all questions when we meet.']—The Lord Advocate, after reading the sentence pointed out, proceeded—The prisoner purchased that arsenic unquestionably upon a false statement. The statement was, that it was rats that were to be poisoned, and that there would be no danger, as the house was to be shut up, and all the servants were to be away. Well, all that story was absolute falsehood; the servants were not leaving Blythswood Square house, and there were no rats there to kill. Again, it is said to be for her complexion. Do you really think that it did her so much good the time before that she came back for more of it? No one, in that witness-box, has had the courage to say that arsenic, when applied to the skin, had any other than an irritant effect. It could not have been used as a cosmetic; and, at the very lowest, could not have been found to have so beneficial an effect as to induce a repetition of the experiment. But when the prisoner found the toils coming closer around her—L'Angelier determined not to be put off—and she herself pledged to an absolute falsehood, viz., that the report of her marriage is not true—she purchases another dose of arsenic. Draw your conclusion, gentlemen; I fear you will find but one at which it is possible for you to arrive. It is said, what did she do with all this arsenic? she could not use the half, the tenth, the twentieth part on the former occasions. It is not difficult to account for that; whenever she used so much as she required, the rest was thrown into the fire. She did not go to the Bridge of Allan, and had therefore no occasion to use it there; and when she found she had no use for it, she disposed of what she had bought. The two last letters she wrote were from the Bridge of Allan. They are cold letters enough. The first of them bears the postmark, Bridge of Allan, of the 10th March; and she says, among other things in it, that she shall be home on Monday or Tuesday, and will write him, when they shall have an interview. Observe, that it is an interview she speaks of, and you will immediately see with what feverish impatience L'Angelier waited for receipt of that letter appointing the interview. The last letter from her at the Bridge of Allan, is dated 13th March, in which she says: 'I think we shall be home on Tuesday, so I shall let you know, my own beloved sweet pet, when we shall have a dear, sweet interview, when I may be pressed to your heart, and kissed by you, my own sweet love.' Then she says, 'I hope you will enjoy your visit here.' By that time it had been arranged that L'Angelier should postpone his visit till the Smiths came back. The marriage with Mr Minnoch, at this time, was all settled—the day was fixed—the prisoner was committed beyond all hope of recovery, and had but one way out. But leaving her there for the present, let us follow the fortunes of L'Angelier for the next most critical ten days of his life. He gets leave of absence on the 6th, goes to Edinburgh for a week, sees a variety of persons, and gets much better. Several witnesses have told you how he eat—how he talked about

his illness, and you have heard how he repeated, in the house of Mr Towers, the singular statement he had before made to Miss Perry, that he had got coffee and cocoa from somebody, and that illness immediately succeeded on taking these two substances. He says, 'I do not wonder so much that I should be ill after cocoa, for I am not accustomed to that, but that I should be ill after coffee, which I take regularly, I cannot account for.' And they were so much struck with the remark, that they said to him, 'Has any one any motive in poisoning you?' To that he made no answer; but you will not omit to see the corroboration that gives to the story of Miss Perry, and to the real circumstances, as I have explained them to you. The week after he was to have a letter appointing an interview. He had not had one since the 22d, and he was longing for it with impatience. He came back to Glasgow on Tuesday the 17th, and said, 'Is there no letter waiting for me, for they were to be home on the 17th, and she was to write and say when the interview was to be.' He stayed at home all Wednesday, better in health, but low in spirits, expecting a letter. He went to Bridge of Allan on Thursday the 19th, and after he had gone, a letter came. He did not get that letter at his lodgings, but he had left his address with M. Thuau, with instructions to forward any letter which came; and the envelope is found addressed to his lodgings, and posted between 8. 45 A.M., and 12. 25 P.M. on Thursday. That envelope was found in the tourist's bag; and I make that remark in consequence of an observation made by my learned friend. That letter has never been found. We do not know what became of it, but this is certain, that the envelope without the letter was found in the bag; and as the things in the bag were marked at once, there can be no doubt whatever as to the state in which they were found. I regret the absence of that letter as much as my learned friend can, though I think there is external evidence of what that letter set forth. It arrived, however, on the 19th March, Thursday, and Thuau, on the same day, addressed it to the Post Office at Stirling; and that was posted at Franklin Place on the night of the 19th March, and reached Stirling about nine o'clock on the 20th. On the 20th L'Angelier writes to Miss Perry, and says: 'I should have come to see some one last night, but the letter came too late, so we are both disappointed.' After a letter or two, which are not material now for me to read—though they were material as identifying the course L'Angelier took, as proved otherwise—after a letter or two from Mr Stevenson and others, we come to the last of the series. (His Lordship then read the letter from panel, with postmark 'Glasgow, March 21,' beginning: 'Why, my beloved, did you not come to,' &c. . . . . 'I will wait again to-morrow night, same hour and arrangement.') That letter was posted in Glasgow, if at a box, between 9 A.M. and 12. 30 P.M., and if in the General Post Office, between 11. 45 A.M. and 1 P.M. That letter was found in the pocket of the coat. About that letter and envelope there is no dispute nor question whatever. There was an appointment for Thursday the 19th. On Wednesday the 18th she bought her third packet of arsenic. She went back to Currie's shop on the 18th, told him that the first rats had been killed, that they had found a great many large ones lying in the house; and, as she had got arsenic before, appeared to be a respectable person, and told her story without hesitation, on the 18th March, she got her third packet of arsenic. That letter was enclosed by Thuau to L'Angelier on the same day with the rest. He enclosed it in a letter of his own, in which he says that the letter came at half-past twelve, and that he hastens to put it into the post, if there is time. L'Angelier got that letter after nine o'clock, at Stirling, on Sunday morning. He left shortly after the evening service had begun. It is proved by his landlady that he left at that time—it is proved by the postmaster that he got a letter—it is proved that he was in his usual health. He walked to Stirling, started instantly, taking the letter as an appointment for Sunday night. The question whether it was so or not is immaterial. The guard recognised him as a gentleman who travelled from Stirling to Coatbridge, handed him over to Ross, the auctioneer, and he swears these two were the only passengers in that train who stopped at Coatbridge. They had food together in the inn; the guard, Bairfowl, saw him start with Ross in perfect health at Coatbridge to walk to Glasgow. Ross swears that he walked with him to Glasgow, that he was quite well, walked briskly, did not tire, stopped at no place on the road, and arrived in his lodgings a little after eight; and, Mrs Jenkins says, looking infinitely improved since he left her on the 19th. He came home in the greatest spirits, and told them that the letter had brought him home. They knew, and he made no secret of, why he had come home. The landlady knew so well that when he went out at night he was going to see his sweetheart, that she never asked any questions on these occasions. He stayed in the house, took some tea, and left the house in his usual health a little after or before nine o'clock. He is seen sauntering along in the direction of Blythswood Square about twenty minutes past nine. It is too early. He knows the ways of the house, and knows that they have prayers on Sunday night. He must beguile the time a little, and so he goes past Blythswood Square, down to the other side, and makes a call on his acquaintance, M'Alester, in Terrace Street, but does not find him at home. The maid-servant recognised him, and says he was there about half-past nine. Here we lose sight of him for the period of two or three hours; but there is no attempt to shew that any mortal man saw him anywhere else than the only place he was going to. He went out with the determination of seeing her; and believing that he had an

appointment at that place, you cannot doubt that, after coming from the Bridge of Allan, post haste to see her, walking first from Bridge of Allan to Stirling, then travelling from Stirling to Coatbridge, walking from Coatbridge to Glasgow, and then walking from his lodgings in the direction of Blythswood Square—you cannot believe that he would give up his purpose within a hundred yards of the house. The thing is incredible, impossible. Well, gentlemen, as I said, he knew the ways of the house; he knew when it was the habit of the family to retire to rest, and that he would have to wait till Janet was asleep. Can you believe—is it reasonable to believe—that after all these preparations, L'Angelier should have returned without going into the house? The thing is impossible. But if he did go to the house, what do you suppose he did? He went, of course, to the window and made his presence known. He could do it with certainty. The prisoner denies she heard anything that night. Is that within the region of possibility? She writes him a letter. I know she says the appointment was for Saturday. But do you suppose that in the course of that correspondence, even if that were true, she would not have waited for him next night on the chance of his being out of town? The interview was long delayed, anxiously looked for—the interview at which everything was to be explained, in an explanation which she knew he was waiting for. Is it possible that she went to sleep that night, and never woke till the morning? Gentlemen, whatever else you may think, I think you will come to this inevitable conclusion, that L'Angelier did go to the house, did make his presence known; and if he did that, what means the denial in the prisoner's declaration, that L'Angelier was there that night at all? It is utterly inconceivable and impossible. You have no other trace of him. The policeman, it is true, did not see him, but neither did he see him in many a midnight walk—for you know what a policeman's beat is. But that he was there is certain. This was the critical night, when the question was to be decided of her fame and reputation for ever. How do we see him next? He is found at his own door, without strength to open the latch, at two o'clock in the morning, doubled up with agony, speechless, parched with thirst; vomiting commences instantly, and the former symptoms, with great aggravations, go on from two till eleven o'clock, when the man dies of arsenic. So ends this unhappy tale—that I have taken so long to tell you. His last words are few. No one asks him where he has been. They know where he has been, and that is why they do not ask; so says his landlady. She knows where he has been, but asks no questions; but she was a kindly attentive woman, and she does say to the doctor, 'What can be the meaning of this, that while he has gone out in good health twice, he has come back ill; we must have this inquired into, for I cannot comprehend it?' The unfortunate victim himself is unwilling, plainly, to admit to himself what doubtless he suspected. He says: 'I never had bile before; I do not know what it is? I never felt this way before; I am very cold; cover me up.' On the first proposal to send for the doctor, he says—for he certainly does seem to have been a kind-hearted creature—he says to his landlady, 'It is too far for you to go.' After a while, as he is worse, the landlady again proposes to go for a doctor, one who is near at hand, and he says, 'If he is a good doctor, bring him.' He makes some difficulty about taking the laudanum, having an aversion to all drugs, and thinking that as he had got round before without laudanum, he would get round again. But the symptoms get worse, and he tells Mrs Jenkens to go for Dr Steven, who comes. Now, gentlemen, I shall have to speak to the idea of suicide. But was it not remarkable that not a single question was asked of the doctor as to whether L'Angelier seemed to wish to get better or not. The evidence of Mrs Jenkins, from first to last, shews that L'Angelier was most anxious to recover. And among the very last things he said was, 'Oh, if I could only get a little sleep, I think I should recover.' At last, Mrs Jenkins, taking alarm, says, 'Is there any one you would like to see?' He replies he would like to see Miss Perry. He does not say he would like to see Miss Smith. If he thought that his life was really in danger, surely the natural feeling is, that he should wish to see her whom of all the world he was most devotedly attached to. But he expressed a wish only to see Miss Perry; and, doubtless, if he had seen Miss Perry, we should have known more about this case than we do now. But before Miss Perry saw him, death had sealed his mouth; it had caught him more quickly than the doctor or his nurse expected, and more quickly than he had any idea of himself. And so, when the doctor raised his head from the pillow, it fell back, and the mystery remains sealed, so far as the tongue of the unhappy victim is concerned. Now, gentlemen, I am very much mistaken indeed, if all this has not produced an effect on your mind leading to one inevitable result. I don't wish to strain any point against the unfortunate prisoner at the bar. The case is one of such magnitude, the amount of evidence so intricate, and depending, as it does, upon minute circumstances, the more so from the position in which I am now obliged to present the case—I have found it necessary to collect all the little facts, and put them all together, in order to construct, as I say, a chain of evidence that appears to me completely irrefutable. But, notwithstanding that, I have no desire whatever to press you beyond the legitimate consequences of the facts which I have now stated; and I shall therefore go on to consider, with all the candour that I can, the defence that has been set up. Just let me, before I do so, recapitulate that which we have proved. We have brought these unhappy

persons down to the end of December, bound to each other in a way which truly was indissoluble, because the prisoner was so committed in her letters that, except with L'Angelier's consent, she never could have got quit of him. You will find her engaging herself to another, and trying to break off from L'Angelier by mere coldness, and not succeeding; you find the threats of L'Angelier; you find her despairing letters; you then find a meeting fixed, and the first indications of poison being given; the meeting takes place, a reconciliation is effected, but the engagement with Mr Minnoch goes on. In about a fortnight or ten days he is taken ill after the purchase of arsenic on one occasion—I have not been able to prove the purchase on the other occasion—but it is proved by her own statement that he was taken ill after getting something from her; he proposes to go to the Bridge of Allan; she entreats him not to go, because Mr Minnoch is there; and by-the-by I forgot to read, although I will not now stop to read, the letter which on the 16th March—the very time she appointed for the last meeting with L'Angelier—she wrote to Mr Minnoch, her intended husband; he takes ill, talks of going to Bridge of Allan, she tries to dissuade him from going, but he goes; she buys arsenic on the 18th; she writes to make an appointment for the 19th, and she buys arsenic the same day; he does not keep his appointment for the 19th, but he does so on Sunday, in answer to a second invitation from her, which is found in his pocket; he goes back to Glasgow for the express purpose of keeping the appointment; he comes home, and dies of arsenic within twelve or fourteen hours. Gentlemen, I have concluded that part which I considered necessary relative to the case of the prosecution. But it is right that I should now read the letter which the prisoner addressed to Mr Minnoch. It is dated the 16th of March, the day before the family returned from the Bridge of Allan. I read it to shew you the inextricable difficulty in which the unhappy prisoner had placed herself. [His Lordship accordingly read the letter to Mr Minnoch, which has been already printed.] This letter was written two days before she wrote, making the assignation with L'Angelier only a very few days before his death, and it was found in his pocket after his death. There is one other incident to which I must call your attention, and it is this. Apparently the prisoner had shewn no particular agitation at the news of L'Angelier's death. Gentlemen, if she is capable of committing the crime charged, you will not wonder at her self-possession; but news came on Thursday. Something on that day reached her ears. What it was we do not know. One morning she was missed from her father's house. Whether she had been in bed or not is not certain. Janet, her sister, says she was not in bed when she awoke in the morning. She was not seen that morning by any of the servants. She was found by Mr Minnoch at half-past three o'clock in the Helensburgh steamer at Greenock. Where she was that evening we cannot discover. But it has been shewn that she was absent from half-past seven o'clock in the morning, when she was missed, till half-past three, when she was found by Mr Minnoch. So much is certain. I do not press this incident for more than it is worth, for the mere discovery of the letters was enough to induce her to fly from her father's house. But still, the fact remains, that these letters were discovered, and that the prisoner flies. She is brought back by Mr Minnoch. From a very gentlemanly feeling he asks no questions, and she never explains, and never has explained, what she did on that occasion. This incident bears, therefore, on the case for the prosecution. As I said before, I have nothing but a public duty to perform. I have no desire to plead this cause as an advocate. My duty is to bring the case before you, as the ends of truth and justice require. But I would be wanting in my duty if I had not brought these elements, and culled these details, to shew you how they bear upon the accusation in the indictment. I now go to the defence. As I said before, I will go into it in the spirit of candour. Now, the first thing may be taken from the declaration of the panel herself. Let us see what it says. The declaration is not anything in her favour; and, though it were otherwise, I have no desire to lessen its legitimate effect upon your mind. If she can tell a consistent story—a story consistent with the evidence—there is no desire to deprive her of the benefit of it. She goes on to say her name is Madeleine Smith. [His Lordship then read the declaration, which has been already printed.] Gentlemen, in regard to the last letter, you will see that the prisoner does not tell that the letter referred to was written on any previous occasion. She says he had been unwell, and had gone to the Bridge of Allan, and she is shewn a letter, and I can refer the writing of it to the sickness before his death. In reference to the use of the arsenic, I do not, of course, know what my learned friend is going to say; but I have not been able to find, either in the publications of the Messrs Blackwood or the Messrs Chambers, the shadow of a statement to the effect that arsenic, diluted in water, is ever used in the manner spoken of by the prisoner, and you have the evidence of the lady (Madame Guibielei), who told you that in the story read in the school at Clapton, it was said that arsenic was used internally by the Styrian peasants for the purpose of making their wind stronger, and also for improving the appearance of their complexion. Now, gentlemen, that is her account of what took place. She denies entirely that she saw L'Angelier on the night before his death—she denies that she heard him at the window the night before his death. You will consider, gentlemen, if that is consistent with any reasonable probability. No doubt the girl Janet slept with her.

She said she found her there when she awoke in the morning, and that she went to bed with her at the same time that night. My learned friend did not ask her, and perhaps properly, whether she had heard any noise during the night, and the prisoner is quite entitled to the benefit of the supposition that her sister did not hear any noise during the night. Again, the foot-boy, who slept in the front of the house, declares he heard nothing, and the two maids, who slept in the room behind, swear they heard nothing. But, gentlemen, so far as regards Janet, you have it positively proved that L'Angelier was in the habit of comin night after night, to the window—you have it proved that on many occasions he did come to the house—and you certainly have it proved that, on some occasions, he was in the house with the prisoner. It does not appear that Janet knew anything about these meetings; and you have her referred to sometimes in the letters, in which she says she could not get Janet asleep last night, as an excuse for not having been at the window to receive him. In regard to the servants, you will recollect how the house stands by the plan; and that nothing could be easier than for the prisoner, if she had a mind, to go up stairs and open the front-door to receive him into the drawing-room; or, if the area gate were left open, she could, with great ease (for the boy slept soundly, and foot-boys are rather apt to sleep soundly), open the area door, and let him in that way. Whether she could let him in by the back without the connivance of Christina Haggart is another question. Christina Haggart swears that she did not connive at it on that occasion; and it may be doubtful therefore whether that mode of access was open to her; and, therefore, while there is nothing in what these witnesses say to imply that they did not meet that night, there is certainly nothing to exclude the possibility of it. As to the prisoner's account of the use for which she bought the arsenic, as I said before, you must be satisfied that it is a reasonable and credible account before you make up your mind on this case; because, unless it can be presented to you in some intelligible way, that this arsenic was bought and used for this purpose, I am afraid the prisoner stands in this position: of having in her possession the very poison by which her lover died, without being able to account satisfactorily for the possession of it. I do not mean now to go back on the observations I have already made; but you will consider whether—the poison having only been purchased on these three occasions, and never before—that is a true statement which she makes with regard to the use of it. You have to consider whether there is the slightest probability—a probability which any reasonable man can entertain—that she made these three solitary purchases on these three days, and that she used the whole arsenic for that purpose, and that the coincidence of her meeting with L'Angelier on these particular occasions, and immediately after these purchases, is a mere coincidence. If you come to that conclusion, gentlemen, no doubt it will go very far indeed to maintain the defence; but if you cannot, then I am very much afraid the opposite result follows inevitably. But then it is said, and said with some plausibility, that the meeting which was intended to take place was a meeting trysted for the Saturday, and not for the Sunday. Now, gentlemen, the way I put it to you is this, that either of these two suppositions is quite possible. The letter may have been posted after eleven o'clock, in that case there can be doubt that the tryst or meeting was for the Sunday—it may have been posted at nine o'clock, in which case probably it would have been the night before, and though it bears no date it may possibly have meant that the tryst was to be held on Saturday. But I may make this remark, that while throughout this correspondence the Thursdays and Fridays and Sundays are the nights generally appointed for the meetings, I have found no instance—perhaps my learned friend may find one—of meetings appointed for the Saturday. But still, gentlemen, that is within the bounds of probability; and it will be for you to consider, even supposing she expected L'Angelier on the Saturday, whether, knowing he was at Bridge of Allan, which she says she knew in her declaration, it is at all likely she should not have waited on the Sunday also, in the case of his not having returned to town on the Saturday; that even if it had been the Saturday evening, the question is—Is it within the bounds of probability in this case, that he did not go to the window that night, and make himself heard in the usual way? But, gentlemen, it is one of the main theories on which the defence is founded, that L'Angelier may have committed suicide. Of course, that is a matter with which I am bound to deal, and can deal only with the anxiety to discover truth. Why, if we had found in this case anything indicating, with reasonable certainty, a case of suicide, we might have disregarded all these facts on which this prosecution is founded. I own, gentlemen, however, and I say it with regret, that I have been unable to see from first to last, in the evidence for the prosecution or the defence, anything that warrants me in believing that this could possibly be a case of suicide. You must deal with that, gentlemen—you must consider the question as between murder and suicide; and, of course, if you are not satisfied that it was a case of murder, you must give the prisoner the benefit of any doubt you may entertain on the subject. But, gentlemen, we have also to consider, is there any other conceivable cause for what has taken place? therefore, before I deal with the question of suicide, let us see whether other contingencies are altogether excluded. It seems to have been said that L'Angelier was an eater of arsenic, and that he may have poisoned himself by an overdose. Gentlemen, I think that rests on

evidence so little entitled to credit that I need not deal with it; and, if my learned friend takes that defence, I am quite content to leave it in the hands of the Court, to direct you as they may think fit. The only evidence of L'Angelier ever having spoken of arsenic, is the evidence of two parties who knew him in Dundee in the year 1852. On one occasion he is said to have given it to horses; but the evidence on that point is entirely uncorroborated. And as to the other case—the lad who found a parcel of arsenic, but who never recollected the conversation with L'Angelier until a very few days before this trial, I must throw his evidence out of view altogether. There is not, from the time he came to Glasgow, the smallest suspicion that he was in the habit of taking arsenic; he is not proved to have bought it on any single occasion; and it is not proved that he had it in the house at any time. The supposition therefore, that he was in the habit of taking it, we must altogether reject; neither is the slightest evidence that it would be possible, even by the practice of eating arsenic, regarding which I am very incredulous, to have arranged the matter that the amount of 106 grains should have been found in the stomach of the man. It is so completely out of the bounds of reason that I dismiss the hypothesis as beyond the range of possibility. It seems, however, to be said, that perhaps at the Bridge of Allan he had accidentally got arsenic. But, gentlemen, that won't do—that is impossible. The cases in which arsenic shews itself only after five hours are very rare indeed. Dr Christison told you that active exercise would accelerate the action of the poison, and that from half-an-hour to two hours is the ordinary time it takes to operate. But L'Angelier left the Bridge of Allan at three o'clock. He walked to Stirling and was found at Coatbridge quite well, and he walked to Glasgow quite well, looking better than he had done for three weeks. He left his own house, looking quite well, at nine o'clock, and he is seen at Mrs Parr's, at half past nine, in perfect health. You have thus him traced for upwards of six hours from leaving Bridge of Allan, and he is quite well, and you have no indication that at Bridge of Allan, Coatbridge, or anywhere else, he had arsenic, or could have had it. Therefore, gentlemen, it seems to me that accidental administration is out of the question, or the administration by any one else. It is not suggested that he saw any body that night except the prisoner, and you are therefore left to no conjecture, unless it be either a case of suicide or a case of murder. Now this, as I said before, is a most important matter for you to consider, and you are bound to consider it most deliberately. If the case be suicide, within the limits of the evidence, of course you will say so; but it is my duty to put these facts in the light in which they ought to stand; and I say, that I do not think the facts admit the possibility of this being, within any reasonable compass or probability, a case of suicide. Under any circumstances, we should have to consider and place in the balance the probabilities of the case; because, although a great deal of evidence has been led as to L'Angelier's temperament, I don't think much importance is to be attached to this matter. You do not discern from a man's temperament whether he is likely to commit suicide or not, and I don't think we can learn from the statistics of suicide that the men whose temperament would be supposed as likely to lead them to commit suicide are those who do so. In regard to L'Angelier's history, we have had a great deal of evidence, but it did not affect my mind in the slightest degree. There was evidence from one or two men who knew L'Angelier at a time when he was of a poorer class in life, and they told about his having wished to put himself out of the world. Well, but listen; even these witnesses proved to you that at that very time L'Angelier was a kind of gasconading, boasting man, such as a Jersey man might be; that he was in the habit of boasting of his acquaintance with high families, of saying what he knew not to be true. I do not know that they proved all he said not to be true, because that gentleman from Dublin, who seemed to think he was a vain lying fellow (and you will set his evidence against that of the persons from Glasgow who knew the deceased), admitted that his story about the Fife lady was true, and it turned out that L'Angelier had a somewhat winning way among ladies. But it is said that he talked about committing suicide. He did so, but he did not do it. He said, at one time, that if any lady jilted him he would put a knife in his breast; but he was jilted, and he did not do it. The man that is going to commit suicide does not go to the window when his companion is in bed, and wait till he gets out of it. The man desiring to commit suicide does not go down with a companion to Leith Pier and say that he is going to drown himself. The man that commits suicide does not take a knife in his hand and say to his companions that he is going to plunge it into his breast. I think this temperament is much the reverse of the suicidal. It is more the characteristic of our neighbours on the other side of the channel; but it does not, to my mind, lead in the slightest degree to the conclusion, in one way or other, in regard to L'Angelier having committed suicide. I think you must deal with this matter altogether independently of these considerations. No doubt a variable temperament is a matter of some consequence. Rapid transition from extreme elevation to extreme depression is a matter to be considered in such a case as this. But I think his conversation with Mr Miller, in regard to the abstract question of suicide is, perhaps, the only thing that is proved on the other side that can bear on this part of the case. But then, gentlemen, you will have to consider the circumstances under which this supposed suicide was committed. L'Angelier had taken up his position. He had a strong suspicion that there was something in

the rumours about Mr Minnoch. He did not mean to kill himself if they were true, but he said, 'I will shew these letters to her father.' That is what he meant to do. Well, he came from the Bridge of Allan for the purpose of seeing Miss Smith, the prisoner—very happy, in good spirits, cheerful—he had a kind note from her in his pocket—he went out at night, to go to Blythswood Square—he certainly had no thoughts of suicide. Well, now, is it conceivable that, without having gone near the house, he committed suicide? Is it within the bounds of evidence or probability? Where did he get the arsenic to buy that night? Not surely at Todd & Higginbotham's store—not in any of the chemical works—certainly not in any of the druggist's shops. That is not conceivable. Is it in the least likely that a man in his position would go out to Blythswood Square and swallow dry arsenic there, and then totter home and die? Gentlemen, that is a supposition that is entirely inconceivable. There is the possibility, no doubt, that he went to see Miss Smith, and that she told him she was going to give him up, and that this had a great impression on his mind; but if she saw him, what comes of the declaration that she has made that she did not see him that night? and, if she did see him that night, is there any link awanting in the chain of evidence that I have laid before you? I can conceive of no possibility of it being a case of suicide that does not imply that they met, and if they met, then the evidence of her guilt is overwhelming. The only chance of escape for the prisoner is to maintain the truth of her declaration, that they did not meet that night; and, if they did not meet, I cannot see how the case can be considered as one of suicide. You may, no doubt, consider whether the truth is that he went to the house, and finding he was not admitted, and that Miss Smith did not hear him, went away in disgust. This is an observation that may be made; but you will consider, in the first place, whether it is possible that, having fixed a meeting the night before, L'Angelier, if he went to the window, would have desisted till he had attracted Miss Smith's attention; and, if he attracted her attention, then they met that night. Therefore, gentlemen, it must be maintained by the prisoner that he did not go to the window, or make a noise there, for she says in her declaration that she never heard him; and, if that be so, I say again, I do not see how this can be treated as one of suicide. But then it is said that the quantity of arsenic found in the stomach clearly denoted a case of suicide, because so much could not have been given and successfully administered. Gentlemen, I don't think this is made out, but quite the reverse, because if the poison were given in cocoa, as it probably was, it has been proved by Dr Penny, that a very large quantity can be held in suspension in it, and Dr Maclagan proved the same thing, though my learned friend the Dean of Faculty did not ask him what amount might or might not be held in suspension in cocoa. No doubt it would require to be boiled in it. But, gentlemen, if the defence that is to be set up is, that the prisoner saw certain things in *Blackwood's Magazine*, then she was not without some knowledge of the properties of arsenic. She had access to the kitchen, the fire of which was close to her bed-room. She had a fire in her bed-room, and she might have boiled it without the least danger. This, therefore, presented no difficulty. There is no proof that she did so; but, on the other hand, there is no proof, on the other side, in the slightest degree to exclude the probability of it. And that there should be a large dose, is quite consistent with reason and the facts of this case. If we are right in saying that there were two former cases of administration which were unsuccessful (and it is proved that a slight dose might be given in coffee)—if there had been two doses which were not successful—is it not plain if the thing were to be done that night—just what we would have expected—that it should have been done with certainty? and, consequently, there is nothing surprising in the fact that the third dose was a very large quantity. It is said, gentlemen, and probably will be maintained, that this arsenic was so mixed, that traces of it must have been found in the stomach, and that therefore the arsenic must have been got by L'Angelier and administered by himself. But as to that taken by L'Angelier a month before, no traces of carbonaceous matter could by any possibility have been expected. If Currie's arsenic had been coloured with indigo, probably the colouring matter would have been detected in the stomach. But it was not coloured with indigo; it was coloured with waste indigo; and by experiment, as well as by theory, this was found to leave no trace. There were, no doubt, experiments made by Dr Penny, in which very minute particles of carbonaceous matter were found in the stomach, mixed with the arsenic. But, gentlemen, when Dr Penny, in the first place, examined the stomach, his attention was not directed to this subject at all; and it was his subsequent experiments that were directed to this matter. Dr Christison also told you that, unless in one part, he could not have expected to find traces of the colouring matter—indigo; and it is quite easy to conceive, independently of the fact that the analysists were not looking for it, that a large quantity of the carbonaceous matter, which is lighter than arsenic, might have been thrown off the stomach in the violent vomiting; and, therefore, gentleman, I must own that this suspicion of suicide does not appear to me to have any probability. The only thing peculiar about his demeanour was this—he did not say where he had got it; the landlady did not ask him, because she thought she knew; she had no doubt he had been visiting Miss Smith. I think you would expect him to say that

he had not done it when he had not done it. But while that is quite true, you can very easily see, especially in a man with the temperament which he is described by the witnesses to have had, that if he had got anything which disagreed with him there, he would rather die than disclose it. You can easily suppose that. Whether, when he sent for Miss Perry, he intended to disclose it, is a different question. But during the whole of the illness there seems not to have been the slightest desire for death or the slightest aversion to life; but, on the contrary the last thing that he said was, 'If I could only get a little sleep, I think I should be well.' The sleep which he got was the sleep of death. Now, gentlemen, I have gone through all this case; there has been a great deal of medical evidence led, but I think I have touched upon all the important portions of it. Evidence was led as to the character of L'Angelier; it is not for me to refer farther to that; I think you will understand perfectly well what sort of a man he was. That he was in very low circumstances in 1851, and in a position in which he might well have been weary of life, is perfectly certain. That he had good friends in different parts of the country has at all events not been disproved, and that he himself may have been well-connected—as many French refugees are—though in a low position in point of fortune, is at least possible, though there is no prooof of it. And now, gentlemen, having detained you so long—having gone over this case with an amount of trouble and anxiety which I would fain have spared—I leave it entirely in your hands. I am quite sure that the verdict which you give will be a verdict consistent with your oath and with your opinion of the case. I have nothing but a public duty to discharge. I have endeavoured in my argument in this case throughout to shew you, as powerfully as I could, how the circumstances which have been proved in evidence bear upon the prisoner. Nor should I have done so if a solemn sense of duty, and my own belief in the justice of the case, had not led me to do so. If I had thought that there were any elements of doubt or of disproof in the case that would have justified me in retiring from the painful task which I have now to discharge, believe me, gentlemen, there is not a man in this Court who would have rejoiced more at that result than myself; for of all the persons engaged in this trial, apart from the unfortunate object of it, I believe the task laid upon me is at once the most difficult and the most painful. I have now discharged my duty. I am quite certain that in the case which I have submitted to you I have not overstrained the evidence. I do not believe that in any instance I have strained the facts beyond what they would naturally bear. If I have, you yourselves, my learned friend on the other side, and the Court, will correct me. And now, gentlemen, as I have said, I leave the case in your hands. I see no outlet for this unhappy prisoner, and if you come to the same result as I have done there is but one course open to you, and that is to return a verdict of guilty of this charge.

On the suggestion of the Lord Justice-Clerk, the Dean of Faculty delayed his address till to-morrow, and the Court adjourned at half-past three o'clock.

EIGHTH DAY.—Wednesday, July 8, 1857.

The Court met again to-day at ten o'clock.

The DEAN OF FACULTY proceeded to address the jury as follows:—Gentlemen of the Jury, the charge against the prisoner is murder, and the punishment of murder is death; and that simple statement is sufficient to suggest to us the awful solemnity of the occasion which brings you and me face to face. But, gentlemen, there are peculiarities in the present case of so singular a kind—there is such an air of romance and mystery investing it from beginning to end—there is something so touching and exciting in the age, and the sex, and the social position of the accused—ay, and I must add, the public attention is so directed to the trial, that they watch our proceedings and hang on our very accents with such an anxiety and eagerness of expectation, that I feel almost bowed down and overwhelmed by the magnitude of the task that is imposed on me. You are invited and encouraged by the prosecutor to snap the thread of that young life, and to consign to an ignominious death on the scaffold one who, within a few short months, was known only as a gentle and confiding and affectionate girl, the ornament and pride of her happy family. Gentlemen, the tone in which my learned friend the Lord Advocate addressed you yesterday could not fail to strike you as most remarkable. It was characterised by great moderation—by such moderation as I think must have convinced you that he could hardly expect a verdict at your hands—and in the course of that address, for which I give him the highest credit, he could not resist the expression of his own deep feeling of commiseration for the position in which the prisoner is placed, which was but an involuntary homage paid by the official prosecutor to the kind and generous nature of the man. But, gentlemen, I am going to ask you for something very different from commiseration; I am going to ask you for that which I will not condescend to beg, but which I will loudly and importunately demand—that to which every prisoner is entitled, whether she be the lowest and vilest of her sex or the maiden whose purity is as the unsunned snow. I ask you for justice; and if you will kindly lend me your attention for the requisite period, and if Heaven grant me patience and strength for the task, I shall tear to tatters that web of sophistry in which the prosecutor has striven to involve this poor girl and her sad strange story. Somewhat less than two years ago accident brought her acquainted with the deceased L'Angelier; and yet I can hardly call it accident, for it was due, unfortunately, in a great measure, to the indiscretion of a young man whom you saw before you the day before yesterday. He introduced her to L'Angelier on the open street, in circumstances which plainly show that he could not procure an introduction otherwise or elsewhere. And what was he who thus introduced himself upon the society of this young lady, and then clandestinely introduced himself into her father's house? He was an unknown adventurer, utterly unknown at that time, so far as we can see; for how he procured his introduction into the employment of Huggins & Co. does not appear; and even the persons who knew him there, knew nothing of his history or antecedents. We have been enabled in some degree to throw light upon his origin and his history. We find that he is a native of Jersey; and we have discovered that at a very early period of his life, in the year 1843, he was in Scotland; he was known for three years at that time to one of the witnesses as being in Edinburgh, and the impression which he made as a very young man, which he then was, was certainly, to say the least of it, not of a very favourable kind. He goes to the Continent; he is there during the French Revolution, and he returns to this country, and is found in Edinburgh again in the year 1851. And in what condition is he then? In great poverty, in deep dejection, living upon the bounty of a tavern-keeper, associating and sleeping in the same bed with the waiter of that establishment. He goes from Edinburgh to Dundee, and we trace his history there; at length we find him in Glasgow in 1853; and in 1855, as I said before, his acquaintance with the prisoner commenced. In considering the character and conduct of the individual, whose history it is impossible to dissociate from this inquiry, we are bound to form as just an estimate as we can of what his qualities were, of what his character was, of what were the principles and motives that were likely to influence his conduct. We find him, according to the confession of all those who observed him then narrowly, vain, conceited, pretentious, with a great opinion of his own personal attractions, and a very silly expectation of admiration from the other sex. That he was to a certain extent successful in conciliating such admiration may be the fact; but, at all events, his own prevailing ideas seem to have been that he was calculated to be very successful in paying attentions to ladies, and that he was looking to push his fortune by that means. And accordingly once and again we find him engaged in attempts to get married to women of some station at least in society; we have heard of one disappointment which he met with in England, and another

we heard a great deal of connected with a lady in the county of Fife; and the manner in which he bore his disappointment on those two occasions is perhaps the best indication and light we have as to the true character of the man. He was not a person of strong health, and it is extremely probable that this, among other things, had a very important effect in depressing his spirits, rendering him changeable and uncertain—now uplifted, as one of the witnesses said, and now most deeply depressed—of a mercurial temperament, as another described it, very variable, never to be depended on. Such was the individual whom the prisoner unfortunately became acquainted with in the manner that I have stated. The progress of their acquaintance is soon told. My learned friend the Lord Advocate said to you, that although the correspondence must have been from the outset an improper correspondence, because it was clandestine, yet the letters of the young lady at that first period of their connection breathed nothing but gentleness and propriety. I thank my learned friend for the admission, but even with that admission I must ask you to bear with me while I call your attention for a few moments to one or two incidents in the course of that early period of their history which I think are very important for your guidance in judging of the conduct of the prisoner. The correspondence in its commencement shows that if L'Angelier had it in his mind originally to corrupt and seduce this poor girl, he entered upon the attempt with considerable ingenuity and skill; for the very first letter of the series which we have contains a passage in which she says,—"I am trying to break myself off all my very bad habits; it is you I have to thank for this, which I do sincerely from my heart." He had been noticing, therefore, her faults, whatever they were. He had been suggesting to her improvement in her conduct or in something else. He had thus been insinuating himself into her confidence. And she no doubt yielded a great deal too easily to the pleasures of this new acquaintance, but pleasures comparatively of a most innocent kind at the time to which I am now referring. And yet it seems to have occurred to her own mind at a very early period that it was impossible to maintain this correspondence consistently with propriety or her own welfare. For so early as the month of April 1855—indeed in the very month in which apparently the acquaintance began—she writes to him in these terms:—"I now perform the promise I made in writing to you soon. We are to be in Glasgow to-morrow, but as my time will not be at my own disposal, I cannot fix any time to see you; chance may throw you in my way. I think you will agree with me in what I intend proposing, that for the present the correspondence had better stop. I know your good feeling will not take this unkind. It was meant quite the reverse. By continuing the correspondence harm may arise; in discontinuing it nothing can be said." And accordingly for a time, so far as appears, the correspondence did cease. Again, gentlemen, I beg to call your attention to the fact that in the end of this same year the connection was broken off altogether. That appears from the letter which the prisoner wrote to Miss Perry in the end of September or beginning of October 1855 [in which she expressed her thanks for Miss Perry's kindness, and intimates that, as papa would not give his consent, she was doomed to be disappointed.] Once more, in the spring of 1856, it would appear—the correspondence having in the interval been renewed, how, we do not know, but is it not fair to suppose, rather on the importunate entreaty of this gentleman than on the suggestion of the lady who wrote such a letter as that?—the correspondence was discovered by the family of Miss Smith. On that occasion she wrote thus to her confidant Miss Perry—[The letter beginning "Dearest Mary," telling that the correspondence had been discovered, and that she would be firm.] Now what follows from this you have heard from some of the witnesses. The correspondence was put an end to by the interference of Mr Smith, and for a time that interference had effect. But, alas! the next scene is the most painful of all. This which we have been speaking of is in the end of 1855. In the spring of 1856 the corrupting influence of the seducer was successful, and the prisoner fell. That is recorded in a letter bearing the postmark of the 7th May, which you have heard read. And how corrupting that influence must have been!—how vile the arts which he resorted to for accomplishing his nefarious purpose, can never be proved so well as by looking at the altered tone and language of the unhappy prisoner's letters. She had lost not her virtue merely, but, as the Lord Advocate said, her sense of decency. This was his doing. Think you that, without temptation, without evil teachings, a poor girl falls into such depth of degradation? No. Influence from without—most corrupting influence—can alone account for such a fall. And yet, through the midst of this frightful correspondence—and I wish to God that it could have been concealed from you, gentlemen, and from the world, and I am sure the Lord Advocate would have spared us it if he had not felt it necessary for the ends of justice—I say that even through the midst of this frightful correspondence there breathes a spirit of devoted affection towards the man that had destroyed her that strikes me as most remarkable. The history of the affair is soon told. I do not think it necessary to carry you through all the details of their correspondence from the spring of 1856 down to the end of that year. It is in the neighbourhood of

Helensburgh almost entirely that that correspondence took place. In November the family of the Smiths came back to Glasgow. And that becomes an important era in the history of the case; for that was the first time at which they came to live in the house in Blythswood Square. There were many meetings between them in the other house in 1855; they met still more frequently at Row; but what we are chiefly concerned in, is to know what meetings took place between them in that last winter in the house in Blythswood Square—how these took place, and what it was necessary for them to do in order to come together; for these things have a most important bearing on the question which you are met here to try. Now the first letter written from Blythswood Square bears date November 18, 1856, No. 61. There is another letter also written in November 1856, and plainly out of its place in this series. It is letter No. 57, and does not bear the day of the month, but must be subsequent to that bearing date the 18th of November, as it is written also from Blythswood Square, and the other letter is shown to be the first written from that house. In this second letter she gives her lover some information of the means by which they may carry on their correspondence in the course of the winter. He was to get brown envelopes, and stoop down as if he were tying his shoe when he slipped in the letter. That shows by what means their correspondence was carried on by letter; and the jury would see that by letter chiefly, if not entirely, was the correspondence carried on in that house. The next letter was the 21st November (in which she repeats instructions as to how to deposit letters at her window in Blythswood Square, adding that she could take him in very well at the front door, as she had done in India Street, if mamma and papa were from home, and that she would not let a chance pass). Now you see the conditions on which she understood it possible, and alone possible, to admit him to the Blythswood Square house. That condition was the absence of her father and mother from home—an absence which did not take place throughout the whole of the period with which we have to do. "If M. and P. were from home, I could take you in at the front door, and I wont let a chance pass." But that chance, gentlemen, never came. Her father and mother were never absent. Their absence was necessary in order that he might be let in this way. It never was so. Again, it is very important for you to understand—for the Lord Advocate spoke in such a way as may have left a false impression on your minds—it is very important, I say, that you should understand the means by which communication was made between these two at the window. The Lord Advocate seemed to say that there were some concerted signals by rapping at the window or on the railings with a stick in order to attract attention. This, you will find, was an entire mistake. L'Angelier did on one or two occasions take that course, but the prisoner immediately forbade it, and ordered him not to do it again. In a letter which bears the postmark of December 5, 1856, she says—"Darling, do not knock at the window;" and again in a postscript—"Remember, do not knock at the window"—earnestly repeating this caution. About this time it is quite obvious that they had it in view to accomplish an elopement. It was quite plain that the consent of Miss Smith's parents to her union with this young Frenchman was not to be thought of any longer. That hope was altogether gone, and accordingly there are constant references in the letters about this time to the arrangements that were to be made for carrying her from her father's house and accomplishing a marriage either in Glasgow or Edinburgh. I wont detain or fatigue you by reading the repeated mention of preparations for this; I merely notice it in passing as applicable to the period of which I am now speaking. But I beg you to observe, gentlemen, that in going through this series of letters passing in the course of last winter, I endeavour to notice as I pass everything that relates to their mode of correspondence and to proposals for meetings, or reference made to meetings that had been had. I shall not willingly pass by one of them, for I wish thoroughly and honestly to lay before you every bit of written evidence that can affect the prisoner in that respect. In a letter which bears postmark "17th December," she says:—"M. is not going from home, and when P. is away Janet does not sleep with M. She wont leave me, as I have a fire in my room, and M. has none." Now you will recollect that Christina Haggart told us that upon one occasion, and one only, there was a meeting in that place, arranged in the way spoken of in this letter—a meeting, that is to say, at the front door, under the front door, to which, of course, he required to be admitted through the area; and that was accomplished through the assistance of Christina Haggart. Then again, there is reference in the next letter, of the 19th, to a desire for a meeting:—"My beloved, my darling,—Do you for a second think I could feel happy this evening, knowing you were in low spirits, and that I am the cause? . . . . Oh, would to God we could meet. I would not mind mamma; if papa and mamma are from home—the first time they are, you shall be here. Yes, my love, I must see you, I must be pressed to your heart. . . . . O yes, my beloved, we must make a bold effort." Here again is the same condition, and the impossibility of carrying the meeting through unless in absence of the parents; but the first opportunity which occurs she will certainly avail herself of. Then in another letter dated

29th, she writes:—"If you love me you will come to me, for papa and mamma are to be in Edinburgh, which I think will be about the 7th or 10th of January." In the same letter, also she says:—"If papa and mamma go, will you not soon come to your Mimi? Do you think I would ask you if I was not alone in the house?" On the 9th of January she writes again a letter, in which you will find a repetition of the same warning how to conduct himself at the window. [Letter telling him to make no sounds at the window.] Further, she says in the same letter:—"I think you are again at my window, but I shall not go down stairs, as papa is here, and we are up waiting for Jack. I wish to see you; but no, you must not look up to the window in case any one should see you. If I never by any chance look out, you must just leave me and go away." In the next letter, dated the 11th, she says:—"I would so like to spend three or four hours with you just to talk over some things; but I don't know when you can come, perhaps in the course of ten days. . . . . If you would risk it, my sweet beloved pet, we would have time to kiss each other and a dear fond embrace; and though, sweet love, it is only for a minute, do you not think it is better than not meeting at all? . . . . Same as last." Plainly that was the short meeting which Christina Haggart told of as occurring in the area under the front door, and so far as I can see, there is not a vestige or tittle of written evidence of any meeting whatever, except that short meeting in the area, down to the time of which I am now speaking—that is to say, from the 18th of November till the date of this letter, which is the 11th January. Then, on the 13th January, she writes a letter, which is also very important, with reference to the events at this period, because at that time he had been very unwell. [In this letter Miss Smith expresses her satisfaction at hearing that L'Angelier was well, and repeats that unless her papa and mamma went from home, she saw no chance of a meeting.] That may have reference to either of their meetings, or to the possibility of their carrying out their design of an elopement. It matters not very much. Then on the 18th January we have this,—"I did love you so much last night when you were at the window." Now, whether there was a conversation at that meeting or not does not very clearly appear; but, at all events, it can have been nothing more than a meeting at the window. She says:—"I think I shall see you on Thursday night"—I suppose the same kind of meeting that she refers to immediately after. Whether that meeting on Thursday night ever took place or not does not appear; but it is not very important, because, pray observe, gentlemen, that that Thursday night is a night of January; this being written on Monday the 19th, Thursday would have been the 22d. In the next letter, bearing the postmark 21st January, she says:—"If you can I would like to have a note on Friday at eight or ten." In the next, dated 22d January, she says:—"I was so sorry I could not see you to-night; I expected an hour's chat with you; we must just hope for better the next time." [The letter continued to say that there was not the least chance for their meeting, and that she could not see how they could manage in Edinburgh.] In the same cover there is another letter, dated Sunday night, where there is reference to a meeting; but my learned friend the Lord Advocate very properly admitted that that was a meeting at the window—nothing more; and therefore I need say no more of it. He was convinced of that by referring back to letter No. 93, and comparing them together. He admitted the meeting there was merely at the window. Now, gentlemen, that concludes the month of January. There are no more letters of that month. There is not another, so far as I can see, referring to any meeting whatever. Christina Haggart told you when she was examined, that in the course of that winter, and when the family were living in Blythswood Square, they met but twice; and it is clear that they could not meet without the intervention of Christina Haggart. I don't mean that it was physically impossible, but when the young lady saw so much danger, so much obstruction in the way of her accomplishing her object, unless she could secure the aid of Christina Haggart, there is not the slightest tittle of evidence that without that assistance she ever made the attempt. I mean of course, you must understand, meetings within the house. I don't dispute the existence of the correspondence which was carried on by the window, and I don't doubt that even on occasions they may have exchanged words at the window, and had short conversations there. But I am speaking of meetings within the house. The only evidence at all as to meetings within the house is, in the first place, in the area under the front door, and the other meeting that took place on the occasion when Christina Haggart introduced L'Angelier at the back door. Now, I am sure you will agree with me that this is an important part of the case: and I bring you down thus to the commencement of the month of February, with this I think distinctly proven, or at least I am entitled to say, without a shadow of evidence to the contrary, that they were not in the habit of coming into personal contact. On the contrary, they had only met in this way on two occasions in the course of the winter. But now we have come to a very important stage of the case. On the 28th of February Mr Minnoch proposes, and, if I understand the theory of my learned friend's case aright, from that day the whole character of this girl's mind and feelings was changed, and she set herself to prepare

for the perpetration of what my learned friend has called one of the most foul, cool, deliberate murders that ever was committed. Gentlemen, I will not say that such a thing is absolutely impossible—he will be a bold man who will seek to set limits to the depths of human depravity; but this at least experience teaches us that perfection, even in depravity, is not rapidly attained, and that it is not by such short and easy stages as the prosecutor has been able to trace in the career of Madeleine Smith that a gentle loving girl passes into the savage grandeur of a Medea, or the appalling wickedness of a Borgia. No, gentlemen; such a thing is not possible. There is and must be a certain progress in guilt, and it is quite out of all human experience that from the tone of the letters which I have last read to you there should be such a sudden transition from affection to the savage desire for removing by any means the obstruction to her wishes and purposes that the prosecutor imputes to the prisoner. Think, gentlemen, how foul and unnatural a murder it is—the murder of one who within a very short space was the object of her love—an unworthy object—an unholy love—but yet while it lasted—and its endurance was not very brief—it was a deep, absorbing, unselfish, devoted passion. And the object of that passion she now conceives the purpose of murdering. Such is the theory that you are desired to believe. Before you will believe it, will you not ask for demonstration? Will you be content with conjecture—will you be content with suspicion, however pregnant—or will you be so unreasonable as to put it to me in this form, that the man having died of poison, the theory of the prosecutor is the most probable that is offered? Oh, gentlemen, is that the manner in which a jury should treat such a case?—is that the kind of proof of which they could convict of a capital offence? On the 19th of February, on the 22d of February, and on the 22d of March—for the prosecutor has now absolutely fixed on these dates—he charges the prisoner with administering poison. Observe, he does not ask you to suppose merely that by some means or other the prisoner conveyed poison to L'Angelier, but he asks you to affirm that, on those three occasions, she with her own hands administered the poison. Look at the indictment and see if I have not correctly represented to you what the prosecutor demands at your hands. He says in the first charge that she "wickedly and feloniously administered to Emile L'Angelier, now deceased." Again, in the second charge, he alleges that she did "wickedly and feloniously administer to him a quantity or quantities of arsenic;" and in the third charge, that she did "wickedly and feloniously administer to, or cause to be taken by the said deceased Emile L'Angelier, a quantity of arsenic, of which he died, and was thus murdered by her." These are three separate acts of administration, not, I pray you to observe, general physiological facts, which you may deduce from various considerations, but plain physical facts—facts which, if anybody had seen, would have been proved to demonstration, but which, in the absence of eye-witnesses, I do not dispute may be proved by circumstantial evidence. But then you must always bear in mind that circumstantial evidence must come up to this—that it must convince you of the perpetration of these acts. Now, then, in dealing with such circumstantial proof of such facts as I have been speaking of, what should you expect to find? Of course the means must be in the prisoner's hands of committing the crime. The possession of poison will be the first thing that is absolutely necessary; and, on the other hand, the fact that the deceased was ill and died from the consequences of poison. But it would be the most defective of all proofs of poisoning to stop at such facts as these, for one person may be in the possession of poison, and another person die from the effects of poison, and yet that proves nothing. You must have a third element. You must not merely have a motive—and I shall speak of motive by and by—you must not merely have a motive, but opportunity—the most important of all elements. You must have the opportunity of the parties coming into personal contact, or of the poison being conveyed to the murdered person through the medium of another. Now, we shall see how far there is the slightest room for such a suspicion here. As regards the first charge, it is alleged to have taken place on the evening of the 19th February, and the illness, on the same theory, followed either in the course of that night, or rather the next morning. Now, in the first place, as to date, is it by any means clear? Mrs Jenkins—than whom I never saw a more accurate or more trustworthy witness—Mrs Jenkins swears that, to the best of her recollection and belief, the first illness preceded the second by eight or ten days. Eight or ten days from the 22d, which was the date of the second illness, will bring us back to the 13th February, and he was very ill about the 13th February, as was proved by the letter I read to you, and proved also by the testimony of Mr Miller. Now, if the first illness was on the 13th February, do you think that another illness could have intervened between that and the 22d without Mrs Jenkins being aware of it? Certainly that won't do. Therefore, if Mrs Jenkins is correct, that the first illness was eight or ten days before, that is one and a most important blow against the prosecutor's case in this first charge. Let us look, now, if you please, at what is said on the other side as to the date. It is said by Miss Perry, that not only was that the date of his illness, but that he had a meeting with the prisoner on the 19th. Miss Perry's evidence upon that point I take leave to say is not worth much. She had no

recollection of that day when she was examined first by the Procurator-Fiscal; no nor the second time, nor the third time; and it was only when, by a most improper interference on the part of one of the clerks of the Fiscal, a statement was read to her out of a book which has been rejected as worthless in fixing dates, that she then for the first time took up the notion that it was the 19th which L'Angelier had reference to in the conversations which he had with her. And, after all, what do these conversations amount to? To this, that on the 17th, when he dined with her, he said he expected to meet the prisoner on the 19th. But did he say afterwards that he had met her on the 19th? The Lord Advocate supposed that he had, but he was mistaken. Miss Perry said nothing of the sort. She said that when she saw him again on the 2d March, he did not tell her of any meeting on the 19th. Well, gentlemen, let us look now, in that state of the evidenco, as to the probabilities of the case. This first illness, you will keep in view, whansoever it took place, was a very serious one—a very serious one indeed. Mrs Jenkins was very much alarmed by it, and the deceased himself suffered intensely. There can be no doubt about that. Now, if the theory of the prosecutor be right, it was on the morning of the 19th that he was in this state of intense suffering, and upon the 20th, the next day, he bought the largest piece of beef that is to be found in his pass-book from his butcher; and he had fresh herrings for dinner in such a quantity as to alarm his landlady, and a still more alarming quantity and variety of vegetables. Here is a dinner for a sick person! All that took place upon the 21st, and yet the man was near death's door on the morning of the 20th, by that irritation of stomach, no matter how produced, which necessarily leaves behind it the most debilitating and sickening effects. I say, gentlemen, there is real evidence that the date is not the date which the prosecutor says it is. But, gentlemen, supposing that the date were otherwise, was the illness caused by arsenic? Such I understand to be the position of my learned friend, Now, that is the question which I am going to put to you very seriously, and I ask you to consider the consequences of answering that question in either way. You have it proved very distinctly, I think—to an absolute certainty almost—that on the 19th February the prisoner was not in possession of arsenic. I say proved to a certainty for this reason—because when she went to buy arsenic afterwards, on the 21st February, and the 6th and the 18th March, she went about it in so open a way that it was quite impossible that it should escape observation if it came afterwards to be inquired into. I am not mentioning that at present as an element of evidence in regard to her guilt or innocence of the second or third charges. But I want you to keep the fact in view at present for this reason, that if she was so loose and open in her purchases of arsenic on these subsequent occasions, there was surely nothing to lead you to expect that she should be more secret or more cautious on the first occasion. How could that be? Why, one could imagine that a person entertaining a murderous purpose of this kind, and contriving and compassing the death of a fellow-creature, might go on increasing in caution as she proceeded, but how she should throw away all idea of caution or secrecy upon the second, and third, and fourth occasions, if she went to purchase so secretly upon the first, that the whole force of the prosecutor has not been able to detect that earlier purchase, I leave it to you to explain to your own minds. It is incredible. Nay, but, gentlemen, it is more than incredible; I think it is disproved by the evidence of the prosecutor himself. He sent his emissaries throughout the whole druggists' shops in Glasgow, and examined their registers to find whether any arsenic had been sold to a person of the name of L'Angelier. I need not tell you that the name of Smith was also included in the list of persons to be searched for: and therefore, if there had been such a purchase at any period prior to the 19th February, that fact would have been proved to you just as easily, and with as full demonstration, as the purchases at a subsequent period. But, gentlemen, am I not struggling a great deal too hard to show you that the possibility of purchasing it before the 19th is absolutely disproved; that is no part of my business. It is enough for me to say that there is not a tittle or vestige of evidence on the part of the prosecutor that such a purchase was made prior to the 21st; and, therefore, on that ground, I submit to you with the most perfect confidence as regards that first charge that it is absolutely impossible that arsenic could have been administered by the prisoner to the deceased upon the evening of the 19th of February. Nay, gentlemen, there is one circumstance more before I have done with that which is worth attending to. Suppose it was the 19th, then it was the occasion in reference to which M. Thuau told you that when the deceased gave him an account of his illness and the way in which it came on, he told him that he had been taken ill in the presence of the lady—a thing totally inconsistent with the notion, in the first place, that the arsenic was administered by her, and its effects afterwards produced and seen in the lodgings, but still more inconsistent with Mrs Jenkins' account of the manner and time at which illness came on, which, if I recollect right, was at four o'clock in the morning, after he had gone to bed perfectly well. Now, gentlemen, I say, therefore, you are bound to hold not merely that there is here a failure to make out the admini

tion on the 19th, but you are bound to give me the benefit of an absolute negative upon that point, and to allow me to assume that arsenic was not administered on the 19th by the prisoner. I think I am making no improper demand in carrying it that length. Now, see the consequences of the position which I have thus established. Was he ill from the effects of arsenic on the morning of the 20th? I ask you to consider that question as much as the prosecutor has asked you; and if you can come to the conclusion, from the symptoms exhibited, that he was ill from the effects of arsenic on the morning of the 20th, what is the inference?—that he had arsenic administered to him by other hands than the prisoner's. The conclusion is inevitable, irresistible, if these symptoms were the effect of arsenical poisoning. Again, you are to hold that the symptoms of that morning's illness were not such as to indicate the presence of arsenic in the stomach, or to lead to the conclusion of arsenical poisoning. What is the result of that again? The result of it is to destroy the whole theory of the prosecutor's case,—a theory of successive administrations, and to show how utterly impossible it is for him to bring evidence up to the point of an actual administration. Then, as soon as you weigh that evidence, test its application to the occasion to which it is intended to apply, you find it not merely inconclusive, but find it proof of the contrary. I give my learned friend the option of being impaled on one or other of the horns of that dilemma, I care not which. Either he was ill from arsenical poisoning on the morning of the 20th, or he was not. If he was, he had received arsenic from other hands than the prisoner's. If he was not, the foundation of the whole case is shaken. So much for the first charge. Gentlemen, before I proceed further, I am anxious to explain one point which I think I left imperfectly explained in passing—I mean regarding the meeting referred to in the letter of Sunday night in the envelope of the 23d January. My statement was that the Lord Advocate had admitted that that meeting which was there referred to was a meeting at the window. I think he did not admit it in this form, but he made an admission, or rather he asserted, and insisted on a fact which is conclusive to the same effect. He said that that Sunday night was a Sunday immediately preceding the Monday of letter 93. Now, then, if it be the Sunday night immediately preceding the Monday of letter No. 93, observe the inevitable inference, because on the Sunday night she says—"You have just left me." In the postscript to the letter of Monday she says—"I did love you so much last night when you were at the window." So that his Lordship's admission, though it was not made in the form that I am supposing, was exactly to the same effect. It proves that this was a meeting at the window, like the others. I have disposed of the first charge, and in a way which I trust you wont forget in dealing with the remainder of the case, because I think it enables me to take a position from which I shall demolish every remaining atom of this case. But before I proceed to the consideration of the second charge more particularly, I want you to follow me, if you please, very precisely as to certain dates, and you will oblige me very much if you take a note of them. The first parcel of arsenic which is purchased by the prisoner was upon the 21st of February. It was bought in the shop of Murdoch the apothecary, and the arsenic there purchased was mixed with soot. Murdoch was the person who ordinarily supplied medicines to Mr Smith's family, and she left the arsenic unpaid for, and it went into her father's account; and I shall have something to say about these circumstances hereafter. I merely mention them at present. Now, on Sunday the 22d it is said, and we shall see by-and-by with how much reason, that L'Angelier again had arsenic administered to him, and so far it may be that we have, in regard to the second charge, a purchase of arsenic previous to the alleged administration. I shall not lose sight of that weighty fact, but, from the 22d February onwards, there appears to me to be no successful attempt on the part of the prosecutor to prove any meeting between these persons. He was confined to the house after that illness, as you have heard, for eight or ten days. There are letters written at that time which completely correspond with that state of matters, speak of his being confined, and of the possibility of seeing him at his window. But it is not pretended that there is any meeting during all that time, which lasted for eight or ten days after the 22d. Now, suppose it lasted for eight days, that brings you down to the 2d March. On the 5th March there is said to be a letter written by L'Angelier to the prisoner, and there is a letter from the prisoner to L'Angelier, which is said to have been written on the same day. But neither of these letters indicate the occurrence of a meeting upon that occasion, nor bear any reference to any recent meeting, nor any anticipated or expected meeting. In short, there is not, from the 22d of February to the 6th of March, any attempt to prove a meeting between the parties. I think I am justified in stating the import of the evidence to be so. I shall be corrected if I am wrong, but I think I am quite certain that from the one day to the other there is not an insinuation that there was a meeting between the parties from the 22d February to the 6th March. On the 6th March the prisoner goes with her family to the Bridge of Allan, and there she remains till the 17th; and on the 6th March, immediately preceding her departure to the Bridge of Allan, she buys her second

parcel of arsenic, and that she buys in the company of Miss Buchanan, talks about it to two young men who were in the shop, signs her name on the register as she had done on the previous occasion; every circumstance shows the most perfect openness in making the purchases. Well, she goes to the Bridge of Allan on the 6th, and confessedly does not return till the 17th. Let us now trace, on the other hand, the adventures of L'Angelier. He remains in Glasgow till the 10th. He then goes to Edinburgh, and returns on the 17th at night. He comes home by the late train to Glasgow. On the 18th he remained in the house all day. I am glad to find that my learned friend the Lord Advocate in his speech corroborates my recollection of this fact—that L'Angelier was in the house all the 18th. On the 19th, in the morning, he goes first to Edinburgh and then to the Bridge of Allan, from which he did not return till the night preceding his death, on the 22d. I have missed directing your attention at the proper place to the fact that on the 18th, on her return from the Bridge of Allan, the prisoner purchases her third portion of arsenic in the same open way, as before. Observe, gentlemen, that unless you shall hold it to be true, and proved by the evidence before you, that these two persons met on the 22d of February, which was a Sunday, or unless, in like manner, you hold it to be proved that they met again on the fatal night of the 22d March, there never was a meeting at all after the prisoner had made any of her purchases of arsenic. I maintain that there not only was no meeting, that we have no evidence of any meeting, but that practically there was no possibility of their meeting. I say that unless you can believe on the evidence that there was a meeting on the 22d of February, or again on the 22d of March, that there is no possible occasion on which she either could have administered poison or could have purposed or intended to have administered it. You will now, gentlemen, see the reason why I wanted these dates well fixed in your minds, for from the first alleged purchase of poison to the end of the tragedy, there is no possibility of contact or of administration, unless you think you have evidence that they met on one or other of these Sundays, the 22d February or the 22d March. Let us see if they did meet on the 22d of February. What is the evidence on that point of Mrs Jenkins, L'Angelier's landlady? She says he was in his usual condition on the 21st, when he made that celebrated dinner to which I have already adverted, and when she thought he was making himself ill, and on that 21st he announced to her that he would not leave the house all the Sunday—the following day. He had therefore no appointment with the prisoner for the Sunday, else he would never have made that statement. On the 22d, Mrs Jenkins says she has no recollection of his going out, in violation of his declared intention made the day before. Gentlemen, do you really believe that this remarkably accurate woman would not have remembered a circumstance in connection with this case of such great importance as that he had first of all said that he would not go out upon that Sunday, and that he had then changed his mind and gone out? It is too daring a draft on your imagination. She has no recollection of his going out, and I am entitled to conclude that he did not. And when he did go out of a night and came in late, what was his habit? Mrs Jenkins says he never got into the house in those occasions—that is, after she went to bed—except in one or other of these two ways:—either he asked for and got a check-key, or the door was opened to him by Mr Thuau. Mrs Jenkins says there was no other mode. She says he did not ask the check-key that night. If he had done so she must have recollected. Thuau says he certainly did not let him in. Now, gentlemen, I must say that to conjecture in the face of this evidence that L'Angelier was out of the house that night is one of the most violent suppositions ever made in the presence of a jury, especially when that conjecture is for the purpose of—by that means, and that means only—rendering the second charge in this indictment possible, for without it it is impossible. Well, L'Angelier was not taken ill till late in the morning, and he did not come home ill. There is no evidence that he ever came home at all, or that he ever was out; all we know is, that he was taken ill late in the morning, about four or five o'clock. Only one attempt was made by my learned friend to escape from the inevitable results of this evidence. And it is by a strange and forced use of a particular letter, No. 111, written on a Wednesday, in which letter the prisoner says she is sorry to hear he is ill; but the portion on which he particularly founded was that in which she said,—"You did look bad on Sunday night and Monday morning." My learned friend says that that letter was written on the 25th of February, and points out to you that the Sunday before that was the 22d. And, no doubt, if that were conclusively proved, it would be a piece of evidence in conflict with the other, and a very strong conflict and contradiction it would indeed be, and one which you, gentlemen, would have great difficulty to reconcile. This, however, would not be a reason for believing the evidence of the Crown, or for convicting the prisoner. But, gentlemen, the contradiction is imaginary; for the only date the letter bears is Wednesday, and it may be, so far as the latter is traced, any Wednesday in the whole course of their correspondence. There is not a bit of internal evidence in this letter, nor in the place where it was found, nor anywhere else, to fix its date, unless you take that reference to Sunday night, which is,

of course, begging the whole question. Therefore, I say again, gentlemen, that it might have been written on any Wednesday during the whole course of their correspondence and connection. But it is found in an envelope, from which its date is surmised. And, gentlemen, because a certain letter, without date, is found in a certain envelope, you are to be asked to convict, and to convict of murder, on that evidence alone! I say that if this letter had been found in an envelope bearing the most legible possible postmark, it would have been absurd and monstrous to convict on such evidence. But, when the postmark is absolutely illegible, how much is that difficulty and absurdity increased! Except that the Crown witness from the Post Office says that the mark of the month has an R, and that the Post Office mark for February happens to have no R, we have no evidence even as to the month. My learned friend must condemn the evidence of his own witness before he can fix the postmark. The witness said the letter must have been posted in the year 1857; but perhaps even on that point the Crown will not take the evidence of a witness whom they themselves have discredited. Besides, the whole evidence on this point is subject to this answer—that the envelope proves absolutely nothing. Again, to take the fact that a particular letter is found in a particular envelope as evidence to fix the date of an administration of poison, is, gentlemen, a demand on your patience and on your credulity which is to me absolutely unintelligible. The Lord Advocate said in the course of his argument that, without any improper proceedings on the part of the Crown officials, nothing could be so easily imagined as that a letter should get into a wrong envelope in the possession of the deceased himself. I adopt that suggestion. And if that be a likely accident, what is the value of this letter as a piece of evidence?—especially in opposition to the plain evidence of two witnesses for the Crown, that the Sunday referred to in the letter could not be the 22d of February, because on that Sunday L'Angelier was never over the door. Well, I do not think the Crown has succeeded much better in supporting the second charge. I should like to know whether my learned friend still persists in saying that, on the morning of the 23d February, the deceased was suffering from the effects of arsenical poison; for, if he does, the answer is the same—that he was in the way of receiving arsenic from another hand than the prisoner's. And now, gentlemen, am I not entitled to say that, as regards the first two charges, step by step—tediously, I am afraid, but with no more minuteness than necessary for the ends of justice and the interests of the prisoner—I have pulled to pieces the web of sophistry which had been woven around this case. Well, gentlemen, time goes on, and certainly in the interval between the 22d February and the 22d March we have no event in the nature of a meeting between these parties. Nothing of that kind is alleged; and on the 22d of March it is perfectly true that L'Angelier goes to Glasgow, and goes under peculiar circumstances. The events connnected with his journey from Bridge of Allan, with the causes and consequences of it, I must beg you to bear with me while I detail at considerable length. He went to the Bridge of Allan on the morning of the 19th, or, in other words, he went first to Edinburgh, and then from that to the Bridge of Allan. You recollect that upon the 18th—from the night of the 17th, after his arrival from Edinburgh, and in the course of the 18th—he had expressed himself very anxious about a letter which he expected. He spoke to Mrs Jenkins about it several times; but he started for Edinburgh without receiving that letter; and I think it is pretty plain that the sole cause of his journey to Edinburgh that day was to see whether the letter had not gone there. Now in Edinburgh again he receives no letter, but goes on to the Bridge of Allan, and at the Bridge of Allan he does receive a letter from the prisoner. That letter was written on the evening of Wednesday the 18th—remember that—and it was posted on the morning of Thursday. It was addressed by the prisoner to the deceased at his lodgings at Mrs Jenkins; she being ignorant of the fact that he had left town. It reached Mrs Jenkins in the course of the forenoon, and it was posted in another envelope by M. Thuau addressed to L'Angelier at Stirling, where he received it upon Friday. I hope you follow this exactly, as you will find it immediately of consequence. It reached the post-office at Stirling I think about ten on the morning of Friday. Now, gentlemen, there are two or three circumstances connected with this letter of the greatest consequence. In the first place it is written a day before it is posted. In that respect it stands very much in the same position as by far the greater part of the letters written, which were almost all written at night and posted next morning. In the second place it undoubtedly contained an appointment to meet the deceased on the Thursday evening. That was the evening after it was written—the evening of the day on which it was posted. But he being out of town, and not receiving it until the Friday, it was of course too late for the object, and he did not come to town in answer to that letter—a very important fact too, for this reason that it shows that if the tryst was made by appointment for one evening, he did not think it worth while to attempt to come the next evening, because hecould not see the prisoner but by appointment. Remember how anxious he was before he left Glasgow; remember that he made a journey to Edinburgh for the very purpose of getting the letter that he expected.

He was burning to receive the letter—in a state of the greatest anxiety—and yet when he gets it on the Friday morning in Stirling, seeing that the hour of appointment is already past, he knows that it is in vain to go. She cannot see him except when the tryst was made. Now, most unfortunately—I shall say no more than that of it at present—that letter was lost; and, most strangely, not merely the original envelope in which it was enclosed by the prisoner herself, but the additional envelope into which it was put by Thuau are both found, or said to be found, in the deceased's travelling-bag, which he had with him at Stirling and Bridge of Allan. But the letter is gone—where, no man can tell. Certainly it cannot be imputed as a fault to the prisoner that that letter is not here. You will see it is beyond all question that on the Friday he writes a letter to Miss Perry, in which he makes use of this expression—"I should have come to see some one last night, but the letter came too late, so we were both disappointed." He got the letter; he knew that it contained an appointment for that night, and the preservation of this letter to Miss Perry proves its contents so far. But the letter itself is gone, and I cannot help thinking, although I am not going to detain you by any details on the subject, that the Crown is responsible for the loss of that letter. If they had been in a position to prove, as they ought to have done, that these two envelopes were certainly found in the travelling-bag without the letters, they might have discharged themselves of the obligation that lay upon them; but, having taken possession of the contents of that travelling-bag, which were now brought to bear on the guilt or innocence of the prisoner, I say again, as the fact stands, that that letter is lost, and they are answerable for the loss. Now, there is another letter which is sent to the Bridge of Allan through the same channel. It is addressed to Mrs Jenkins, and bears the postmark of 21st March—that is to say, Saturday morning. It reached Mrs Jenkins in the course of the forenoon; it was posted to Stirling by M. Thuau in the afternoon of the same day, and was received by the deceased at the Bridge of Allan on Sunday morning. Here is the letter:—"Why, my beloved, did you not come to me? Oh, my beloved, are you ill? Come to me. Sweet one, I waited and waited for you, but you came not. I shall wait again to-morrow night—same hour and arrangement. Oh come, sweet love, my own dear love of a sweetheart. Come, beloved, and clasp me to your heart; come, and we shall be happy. A kiss, fond love. Adieu, with tender embraces. Ever believe me to be your own ever dear, fond Mimi." When was it that she "waited and waited?" It was upon Thursday evening—that was the tryst. The letter to Miss Perry proves conclusively that it was on the Thursday she waited, expecting him to come in answer to her previous invitation. When, then, do you think it was likely that she should write her next summons? I should think that, in all human probability, it was on Friday. She almost always wrote her letters in the evening, and I think I am not going too far when I say, that when she did not write them in the evening she always put the hour to them at which they were written; and when she wrote her letters in the evening they were invariably posted next morning, and not that evening, for very obvious reasons. Now, then, is it not clear to you that this letter, this all-important letter, written upon the Friday evening, was posted on the Saturday morning, while she still believed that he was in Glasgow with Mrs Jenkins, making the appointment for Saturday evening—"I shall wait to-morrow night, same hour and arrangement." It is the very same amount of warning that she gave him in the previous letter written on Wednesday, and posted on the Thursday morning when she made the appointment for Thursday evening. Here, in like manner, comes this letter written, as I say, upon the Friday evening, and posted upon the Saturday morning—fixing a meeting for the Saturday evening. The two things square exactly; and it would be against all probability that it should be otherwise. She was most anxious to see him; she believed him to be in Glasgow; and she entreated him to come to her. Oh, but, says my learned friend, they were not in the way of meeting on Saturdays—Sunday was a favourite night, but not Saturday. Really, gentlemen, when my learned friend has put in evidence before you somewhere about 100 out of 200 or 300 letters, that he should then ask you to believe (because there is no appearance of a Saturday evening meeting in any of them which he has read) that there is no such appearance in any that he has not read—would be a somewhat unreasonable demand. But, unhappily for his theory or conjecture, it is negatived by the letters that he has read, as you will find. In one letter, No. 55, October 1856, she says:—"Write me for Saturday that you are to be on Saturday night." That is, to meet her on Saturday night. Again, in letter No. 111, she says:—"I shall not be at home on Saturday, but I shall try, sweet love, to meet you, even if it be but for a word"—alluding to her return from some party. Now, these are two examples selected out of the very letters that my learned friend himself has used negativing the only kind of supposition that he has set off against what I am now advancing. Gentlemen, I think further, with reference to the supposed meeting on the Sunday evening, that I am entitled to say to you that there is no appearance of their ever having met without previous arrangement. The very existence of that number of references in various parts of the correspondence and at

different dates to meetings then made or that were passed, the constant reference to the aid and assistance of Christina Haggart whenever there was anything more than a mere meeting at the window required, all go to shew that in meetings between these parties there always was and always must have been, in order to their being brought about at all, previous arrangement. If, indeed, as regards Blythswood Square house, the theory of the prosecutor had been correct, that he had it in his power at any time to go to the window in Mains Street and call her attention by some noisy signal, the case might have been different. But I have already shown how constantly she repeated to him her warning that he was on no account to make the slightest knocking or noise of any kind—that when she wanted to see him she would watch for him and tell him when to come. But a signal at the window was to be avoided of all things, because it was sure to lead to discovery. Therefore, without previous arrangement it does not appear to me to be possible for these parties to have met on the occasion the prosecutor says they did. And now let us see what the condition of Blythswood Square house and its inmates was upon this all-important Sunday the 22d March. If I am right in my reading of the letters, she expected him on Saturday evening, and she waited for him then—waited most impatiently; waited and waited as she had upon the Thursday, but he came not. On the Sunday evening she did not expect him—why should she? When he did not come on the Thursday evening she did not expect him and he did not come on the Friday evening—when he did not come on the Saturday evening, why should she expect him on the following evening? Having broken his appointment on the Thursday, he did not understand he could procure an interview on the Friday. Having broken it on the Saturday, why should he expect that the meeting was transferred to the following evening? Well, then, that is the state in which her expectations were on that occasion, and her conduct precisely squared. She is at home in the family, with her father, mother, brothers, and sisters. They are all at prayers together at nine o'clock. The servants come up to attend prayers along with the family. Duncan Mackenzie, the suitor of Christina Haggart, remains below while the family are at worship. The servants afterwards go down stairs to bed as usual—one after the other; first the boy, then Christina Haggart, and lastly the cook, who gets to bed about eleven o'clock. The family then retire to rest, and the prisoner with her youngest sister descends from the dining-room to her bed-room between half-past ten and eleven. They take half-an-hour to undress; they both get into bed about the same time; the prisoner apparently is undressed as usual; goes to bed with her sister; and, so far as human knowledge or evidence can go, that house is undisturbed and unapproached till the prisoner is lying in the morning, side by side with her sister, as she had fallen asleep at night. Do you think it possible that, if there had been a meeting between these two parties, there should have been no evidence of it? The watchman was on his beat, and he knew L'Angelier well, and he saw nothing. As you must be aware, this is a very quiet part of the town; it is not a bustling thoroughfare, but a quiet west-end square of dwellings, about which the appearance of a stranger at a late hour on a Sunday evening would attract attention. The policeman, whose special charge was, on such an evening, and in such circumstances, to see every one passing there (and there is no charge against him of not having been upon his beat, and nothing in the least to detract from his evidence), sees nothing. Neither within the house, nor without the house, is there the slightest vestige of ground for suspecting that that meeting of which they had been disappointed on Saturday took place on the Sunday. But now let me turn to L'Angelier. It is said that he came from the Bridge of Allan in answer to the invitation sent him by the prisoner in the course of Saturday. I don't think that is altogether a reasonable presumption. But even if you assume it, it wont advance the prosecutor's case one step. But I say it is not a reasonable presumption. I say it for this reason, because to say that he came into Glasgow on a Sunday at such great inconvenience to keep a appointment which was already past, is to suppose him to contradict on Sunday what he did, or rather omitted to do, on Friday under precisely similar circumstances. If he had wanted to have a meeting on an evening subsequent to that for which it was appointed, he could have been in on Friday, and the circumstances were the same. And yet on Sunday, when there was far less facility for putting his purpose into execution, when he required to walk a considerable part of the way, instead of going by rail, as he could have done on Friday, he is represented as having done this on purpose to keep a meeting which had been appointed for the previous night. I say that is not a reasonable supposition. We do not know what other letters he received at the Bridge of Allan on Sunday morning. There is no evidence of that. The prosecutor might have given it, but he has failed to do so. Then there is surely a great deal of mystery attending the prosecution of this journey from the Bridge of Allan to Glasgow on that Sunday. But before I go into that, let me remind you that with reference to the correspondence between him and M. Thuau as to the forwarding of his letters, that we have this in his letter of the 16th March 1857. He says:—"I have received no letters from Mr Mitchell; I should like to

know very much what he wants with me." Now you don't know anything of Mr Mitchell, and the Crown has not told you; but apparently L'Angelier was expecting letters from this Mr Mitchell when he was in Edinburgh. He was anxious to receive them, and who can tell what letters he received at Bridge of Allan on Sunday morning? Who can tell whether there was not a letter from this Mitchell? and, if so, who can tell what it contained? However, L'Angelier came to Glasgow, and, as I said before, there was a certain degree of mystery, and a very great obscurity thrown over this part of the case—I mean the course of his journey to Glasgow. I refer to this part of the evidence because I think everything that bears on the proceedings of L'Angelier on Sunday is important to the case. It is most essential that everything should be laid before you; and it is for that reason, rather than because I attach any great importance to the thing itself, that we brought before you the evidence of the three apothecaries to which I am going to refer. But observe, in the first place, what the evidence of the Crown is. They first call the guard of the mail-train by which he travelled from Stirling to Coatbridge, and that guard says that a gentleman travelled with him from Stirling to Coatbridge on a Sunday, and set out to walk to Glasgow in company of the witness Ross. Now, Ross did not describe the person of L'Angelier, or his conversation, or anything about him in such a way that anybody could possibly identify him from his description. And Ross was not shown the photograph—a very remarkable omission on the part of the Crown, and of course done for some good reason. They did show the photograph to the mail-guard, and the mail-guard recognised and identified him entirely from the photograph; and yet when we proposed on the part of the prisoner to identify him in the same way, the Crown seemed to think that we were relying upon very imperfect means of identification. Why, it was their own making and suggestion. It was the very medium of identification on which alone they relied, only that they relied on the exhibition of that photograph to a single witness, and if he was mistaken so was Ross also, for Ross told us nothing particular about him except that he walked with a gentleman to Glasgow. But there are some things connected with his conversation while on the way to Glasgow that certainly strike one very much. After they had the refreshment at the inn at Coatbridge, none of the other parties connected with which have been called as witnesses to identify or describe L'Angelier—after they left that inn—they fell into conversation, and the conversation was generally of indifferent matters. Among other things they spoke of the place from which the supposed L'Angelier had come; and what was the account that he gave of himself? That he had come from Alloa. It seemed to me at first that there might be some misunderstanding or misstatement on the part of the witness in calling Alloa the Bridge of Allan, or something of that kind; but no. Ross was quite sure about that. He said there was not a word spoken about the Bridge of Allan between them. I asked him, Did he tell him how far it was from Alloa to Stirling, and he said it was eight miles, which is just the distance, while, as we proved to you, the distance between the Bridge of Allan and Stirling is only between two and three. It is on this evidence that the Crown asks you to believe this was L'Angelier who came in with Ross. It might have been possible for the Crown to identify him further. In the course of his conversation with Ross he said that he had come to Stirling the day before or on Friday, that he had endeavoured to cash a check at the bank and had been refused, because they did not know him. No attempt has been made to show that L'Angelier did this; no attempt to show that he had a check with him; no attempt to show that he had occasion to cash a check, having no money with him. All these things were open to the Crown to have proved. Not one of them have they tried. Now, on the other hand, observe the condition in which the witnesses for the defence stand in regard to this Sunday. Ross, you know, said that the man never parted with him from the time they started till they reached Abercromby Street in the Gallowgate; and therefore, if it was L'Angelier who was with him, in the first place he gave him a perfectly false account of the place where he had come from, and the distance he had walked, and then his evidence—Ross's evidence—would be in direct conflict with that of the witnesses whom I am now about to refer to you. If L'Angelier was not with Ross, then there is no difficulty in reconciling the evidence, and no difficulty in believing the witnesses Adams, Kirk, and Dickson. Adams, the first witness, speaks to the 22d as the day of a gentleman passing along the road from Coatbridge to Glasgow bearing a very strong likeness to L'Angelier. Adams is not so clear about the likeness as the others, but he is perfectly clear about the day. And when you come to the witness Dickson at Baillieston, he is clear about the likeness, and what he says to the date is this, that it was a Sunday at the end of March. Miss Kirk is equally clear about the likeness. She is very strong on that, and besides she identified the purse from which he took out his money, and which was found on the person of L'Angelier after death. And she also states the occasion to be the evening of a Sunday at the end of March. Now, gentlemen, I need not tell you it could not have been any later Sunday in March, because the poor man died the next morning, and it could not be the Sunday before that, for he was then in Edinburgh; and, therefore, if it was a Sunday in March at all, and above all if it was a Sunday in

the end of March, it could be no Sunday but the 22d. Now, if these three witnesses are correct in what they stated to you, observe what the result is. He was ill. He was taking laudanum in the apothecaries' shops as he passed, and, finally, in Miss Kirk's shop he purchased, but did not consume, some white powder, of which Miss Kirk could not tell what it was. Well, he came to Glasgow. He is seen by Mrs Jenkins at his lodgings on his arrival at about eight o'clock. He remains there till nine, and then goes out. He is seen in different streets. He calls about half-past nine o'clock on his friend M'Allester, who lives some five minutes' walk from Blythswood Square. He calls there, but finds that M'Allester is from home. Again, I ask, why have we not here M'Allester to tell us what he knew about him, or whether he expected him? Could M'Allester have told us anything about the Mitchell of the letter? Could not M'Allester have explained what was the errand on which he had come from the Bridge of Allan? Why do the Crown leave all these different things unexplained on this the last and most important day in his history? Now, gentlemen, from half-past nine till half-past two o'clock—at least five hours—he is absolutely lost sight of; and I was startled at the manner in which my learned friend the Lord Advocate met this difficulty. He says it is no doubt a matter of conjecture and inference that in the interval he was in the presence of the prisoner. Good heavens! Inference and conjecture! A matter of inference and conjecture whether on the night he was poisoned he was in the presence of the person who is charged with his murder! I never heard such an expression made use of in a capital charge before, as indicating or describing a link in the chain of the prosecutor's case. It is new to me. I have heard it many a time in the mouth of a prisoner's counsel, and I dare say you will hear it many a time in mine yet before I have done; but for the prosecutor himself to describe one part of his evidence as a piece of conjecture and hypothesis is to me an entire and most startling novelty—and yet my learned friend could not help it. It was honest and fair that he should so express himself if he intended to ask for a verdict at all, for he can ask for this verdict on nothing but a set of unfounded and incredible suspicions and hypotheses. Let us now look at this third charge in the light of probabilities, since we must descend to conjecture, and let us see whether there is anything to aid the conjecture which the Crown has chosen to consider as the most probable one. If you believe the evidence of the Crown, he suspected the prisoner of having tried to poison him before. But then, says my learned friend, his suspicions were lulled. She had become more kind to him before he had left town, and his suspicions were lulled. I think my learned friend said he was brooding over it when he was in Edinburgh, and spoke of it in a very serious tone to Mr and Mrs Towers at Portobello. That was the 16th of March, after which he had nothing to change his mind in the shape of kindness or confidence from the prisoner, and, therefore, if he did once entertain the suspicion, however unfounded, there was nothing to remove it from his mind anterior to the evening of Sunday the 22d of March. A man whose suspicions are excited against a particular person is not very likely to take poison at that person's hand. I am merely uttering a very commonplace probability when I say this,—but the circumstance of its being a commonplace observation makes it all the stronger here,—it is a thing so plain and obvious on the face of it that nobody can fail to see it, and yet what are we asked to believe that he did that night? We are asked to believe that he took from her hand a poisoned cup in which there lurked such a quantity of arsenic as was sufficient to leave in his stomach, after his death, 88 grains, such a dose indicating the administration of at least double,—ay, I think, as Dr Christison said, indicating the administration of at least half-an-ounce—240 grains—and that he took that evening from the hand of the prisoner, with all his previous suspicion that she was practising on his life. It is a dose which, as far as experience goes, never was successfully administered by a murderer. There is not a case on record in which it has ever been shown that a person administering poison to another ever succeeded in persuading him to swallow such a quantity. Yet with all these extraordinary circumstances attending the character and quantity of the dose, this gentleman swallowed it, having had his suspicions previously excited that the prisoner was practising on his life. But, gentlemen, here comes again another point in which the evidence for the Crown is very defective, to say the least of it. They knew very well when they were examining and analysing the contents of this poor man's stomach, and the condition of his intestines generally, what was the arsenic that the prisoner had bought. They knew perfectly well, from her own candid statement, disclosed the moment she was asked, that the arsenic that she bought was got partly at Murdoch's and partly at Currie's. Murdoch's arsenic was mixed with soot, Currie's arsenic was mixed with waste indigo. If that arsenic had been swallowed by the deceased, the colouring matter could have been detected in the stomach. I confess I did not expect to have it so clearly proved, when the witnesses for the Crown were originally in the box; but you recollect what Dr Penny said when he was recalled by my learned friend on the other side, and I think a more clear or precise piece of evidence I never listened to. He said he tried

the experiment with animals. He gave one dog a dose of Murdoch's arsenic, and found the soot in its stomach after its death, notwithstanding constant vomiting. He gave another dog Currie's arsenic, and, said Professor Penny, after the dog had vomited, and died, "I found particles that might correspond with the colouring matter in Currie's arsenic." But I asked him whether they did precisely correspond, and he said yes. I asked him whether they were identical, and he said yes. Now, gentlemen, there was one means of connecting the prisoner with this poison which was found in the stomach of L'Angelier—and a very obvious means. It may be very well for Professor Penny and Professor Christison to say now that their attention was not directed to this matter. Whose fault is that? The Crown, with the full knowledge of what was the arsenic which the prisoner had in her possession, could have directed their attention to it; they must have seen the importance of the inquiry, or, if they did not see that, they must suffer for their omission. Plainly, there can be no fault on the part of the prisoner, for, observe, she had no means of being present, or of being represented, at these *post mortem* examinations or chemical analyses. The whole thing was in the hands of the authorities. They kept them to themselves—they dealt with them secretly—and they present to you this lame and impotent conclusion. Such is the state of the evidence on this third and last charge upon the 22d of March; and I do venture to submit to you that if the case for the Crown is a failure, as it unquestionably is upon the first and second charges, it is a far more signal and radical failure as regards the third. The one fact which is absolutely indispensable to bring guilt home to the prisoner remains not only not proved—I mean the act of administration—but the whole evidence connected with the proceedings of that day seems to me to go to negative such an assumption. I might stop there, for nothing could be more fallacious than the suggestion which was made to you by the Lord Advocate, that it was necessary for the prisoner to explain how the deceased came by his death. I have no such duty imposed upon me. His Lordship will tell you that a defender in this Court has no further duty than to repel the charge and to stand upon the defensive, and to maintain that the case of the prosecutor is not proved. No man probably can tell—certainly at the present moment I believe no man on earth can tell—how L'Angelier met his death. Nor am I under the slightest obligation even to suggest to you a possible mode in which that death may have been brought about without the intervention of the prisoner. Yet it is but fair that, when we are dealing with so many matters of mere conjecture and suspicion on the part of the Crown, we should for a moment consider whether that supposition upon which the charge is founded is in itself preferable, in respect to its higher probability, to other suppositions that may be very fairly made. The character of this man—his origin, his previous history, the nature of his conversation, the numerous occasions upon which he spoke of suicide—naturally suggest that as one mode by which he may have departed this life. I say, gentlemen—understand me—that I am not undertaking to prove that he died by his own hand. If I were doing anything so rash, I should be imitating the rashness of the prosecutor—but I should not be stepping a hairsbreadth further out of the beaten track of evidence and proof and demonstration. For I think there is much more to be said for suicide than for the prisoner's guilt. But I entreat you again to remember that that is no necessary part of my defence. But of course I should be using you very ill—I should be doing less than my duty to the prisoner—if I had not brought before you the whole of that evidence which suggests the probability of that man dying by his own hand at one time or another. From the very first time at which we see him, even as a lad, in the year 1843, he talks in a manner to impress people with the notion that he has no moral principle to guide him. He speaks over and over again in Edinburgh, Dundee, and elsewhere—ay, and the prisoner's letters show that he had made the same threat to her—that he would put himself out of existence. The passages were read to you, and I need not now repeat them. And is it half as violent a supposition as the supposition of this foul murder, that upon this evening—the 22d of March—in a fit of that kind of madness which he himself described came over him when he met with a disappointment—finding, it may be, that he could not procure access to an interview which he desired—assuming that he came to Glasgow for the purpose—assuming, even, that he mistook the evening of the meeting, and expected to see her on the Sunday—can anything be more probable than that in such a case, in the excited state in which he then was, he should have committed the rash act which put an end to his existence? I can see no great improbability in that. But whether he met his death by suicide, or whether he met his death by accident, or in what way soever he met his death, the question for you is—Is this murder proved? You are not bound to account for his death—you are not in the least degree bound to account for his death. The question you have got to try is—Whether the poison was administered by the hands of the prisoner? I have shown you from the indictment that that is the fact which you are asked to affirm. I pray you to remember that you are asked to affirm that on your oaths—to affirm on your oaths as a fact that the arsenic which was found in that man's stomach was presented to him by the hands of the prisoner. Gentlemen, I have spoken of

the improbabilities which belong to this story—to this charge. But surely you cannot have omitted to observe how very unnatural and extraordinary a crime it is to impute to a person in the prisoner's situation. I stated to you before, and I state to you again, as a piece of undoubted experience, that no one sinks to such a depth of depravity all at once. And now I ask you to remember at what period we left this correspondence. At a period when she desired to break off with L'Angelier no doubt—at a period when she desired to obtain possession of her letters. The return of them was refused. I am most unwilling to intersperse my address with severe remarks upon the character of a man who is now no more. But picture to yourself the moral temperament—paint the feelings of a human being who, having received such letters from a girl as you have heard read in this Court, would even preserve them. He must have been dead to all feelings of humanity, or he would never have refrained from burning those letters. But he not only preserves them, he retains them as an engine of power and oppression in his hands. He keeps them that he may carry out his cold-blooded original design not merely of possessing himself of her person, but of raising himself in the social scale by a marriage with her. It was his object from the first, and that object he pursues constantly, unflinchingly, to the end. But he will expose her to her friends and to the world—he will drive her to destruction, or to suicide itself, rather than let her out of his power. It may be said that I am only describing the great provocation which she received, and therefore enhancing the probability of her taking this fearful mode of extricating herself from her embarrassment. I don't fear that, gentlemen. I want you to look now at the picture which I have under her own hand of her state of mind at that time—not for the purpose of palliating her conduct—not for the purpose of vindicating her against the charge either of unchasteness or of impropriety as regards Mr Minnoch, but for the purpose of showing you what frame of mind that poor girl stood in at the time—the very time at which she is said to have conceived and contrived this foul murder. There are two or three letters, but I select one for the purpose of illustrating what I now say. It is written on the 10th February; and it is written after she has asked for the return of her letters, and been refused. [The Dean here read No. 107.] Is that the state of mind of a murderess, or can any one affect that frame of mind? Will you for one moment listen to the suggestion that that letter covers a piece of deceit? No! The finest actress that ever lived could not have written that letter unless she had felt it. And is that the condition in which a woman goes about to compass the death of him whom she has loved? Is that her frame of mind? Is shame for past sin—burning shame—the dread of exposure—what leads a woman not to advance another step on the road to destruction, but to plunge at once into the deepest depths of human wickedness? The thing is preposterously incredible, and yet it is because of her despair, as my learned friend called it, exhibited in that and similar letters, that he says she had a motive to commit this murder. A motive! What motive? A motive to destroy L'Angelier! What does that mean? It may mean, in a certain improper sense of the term, that it would have been an advantage to her that he should cease to live. That cannot be a motive, else how few of us are there that live who have not a motive to murder some one or other of our fellow-creatures. If some advantage, resulting from the death of another, be a motive to the commission of a murder, a man's eldest son must always have a motive to murder him, that he may succeed to his estate; and I suppose the youngest officer in any regiment of Her Majesty's line has a motive to murder all the officers in his regiment—the younger he is the further he has to ascend the scale—the more murders he has a motive to commit. Away with such nonsense. A motive to commit a crime must be something a great deal more than the mere fact that the result of that crime might be advantageous to the person committing it. You must see the motive in action—you must see it influencing the conduct before you can deal with it as a motive—for then, and then only, is it a motive in the proper sense of the term—that is to say, it is moving to the perpetration of the deed. But, gentlemen, even in the most improper and illegitimate sense of the term, let me ask you what possible motive there could be—I mean what possible advantage could she expect from L'Angelier ceasing to live so long as the letters remained? Without the return of his letters she gained nothing. Her object—her greatest desire—that for which she was yearning with her whole soul, was to avoid the exposure of her shame. But the death of L'Angelier, with these letters in his possession, instead of ensuring that object would have been perfectly certain to lead to the immediate exposure of everything that had passed between them. Shall I be told that she did not foresee that? I think my learned friend has been giving the prisoner too much credit for talent in the course of his observations upon her conduct. But I should conceive her to be infinitely stupid if she could not foresee that the death of L'Angelier, with these documents in his possession, was the true and best means of frustrating the then great object of her life. So much for the motive. And if there is no assignable or intelligible motive in any sense of the word, see what another startling defect that is in the case for the prosecution. Shall I be told that the motive might be revenge? Listen to the letter. Tell me if it is possible that in the same breast

with these sentiments there could lurk one feeling of revenge? No; the condition of mind in which that poor girl was throughout the months of February and March is entirely inconsistent with any of the hypotheses that have been made on the other side—utterly incredible in connection with the perpetration of such a crime as is here laid to her charge. It is of importance, too, that we should keep in mind the way in which her spirit was thus broken and bowed down with the expectation of an exposure of her unchastity; for when the death of L'Angelier was made known to her, can you for a single moment doubt that her apprehensions were keenly awakened—that she foresaw what must be the consequences of that event; and dreading to meet her father or her mother—feeling that in the condition of the family it was impossible she could remain among them—she left her father's house on the Thursday morning? I really don't know whether my learned friend meant seriously to say that this was an absconding from justice from a consciousness of guilt—an absconding from justice by going to her father's house at Row. Oh, he said, all we know is, that she left Glasgow early in the morning, and that she was found at three in the afternoon on board a steam-packet going from Greenock to Helensburgh; the interval is unaccounted for. If my learned friend were only half as ingenious on behalf of the prisoner as he is in supporting the prosecution, he could have very little difficulty in knowing that one who starts by water for Helensburgh in the morning may be easily overtaken by others travelling by railway to Greenock in the afternoon. She was on board a steam-packet, but its destination no further than Helensburgh and its neighbourhood. And that he calls absconding from justice. Gentlemen, it is no flying from justice—but it is flying from that which she could as little bear—the wrath of her father and the averted countenance of her mother. But she came back again without the slightest hesitation, and upon the Monday morning there occurred a scene as remarkable in the history of criminal jurisprudence as anything I ever heard of, by which that broken spirit was altogether changed. The moment she was met by a charge of being implicated in causing the death of L'Angelier, she at once assumed the courage of a heroine. She was bowed down and she fled, while the true charge of her own unchastity and shame was all that was brought against her. But she stood erect and proudly conscious of her innocence, when she was met with this astounding and monstrous charge of murder. You heard the account that M. de Mean gave of the interview that he had with her in her father's house on the Monday. That was a most striking statement, given with a degree of truthfulness obviously that could not be surpassed. And what was the import of that conversation? He advised her as a friend—and that was the very best advice that any friend could have given her—if L'Angelier was with her on that Sunday night, for God's sake not to deny it. And why? Because, said M. de Mean, it is certain to be proved. A servant, a policeman, a casual passenger is certain to know the fact, and if you falsely deny his having met you that evening, what a fact that will be against you! Gentlemen, the advice was not only good, but most irresistible in the circumstances if that meeting had taken place. But what was her answer? To five or six suggestions she gave the same constant answer, and at length she said,—"I swear to you M. de Mean, I have not seen L'Angelier for three weeks." Is this not proved to be true? If it is true that she did not see him on the 22d March, then she did not see him at all for three weeks. M. Mean was in doubt whether she said three weeks or six weeks, either of which would have been probably quite true. Immediately afterwards, she was brought before the magistrate, and interrogated on the circumstances implicating her in the suspicion which had come upon her. What does she say? She tells the truth again with a degree of candour and openness which very much surprised the magistrate, and which you must be struck with. Listen to the words of her declaration, for though these must lose much of their effect from want of being listened to as spoken by her, I must ask you to look at two or three particulars there stated, which it is of the utmost importance that you should mark. [The Dean of Faculty then read the declaration at length. On that passage where she speaks of L'Angelier having gone to the Bridge of Allan for his health, the Dean remarked, in answer to the Lord Advocate, that she certainly knew that fact then, because she had been told by M. Mean; but her knowledge of it then did not show, nor did it in the least tend to show, against the evidence of her own letters, addressed to him at Mrs Jenkins', that she had that knowledge formerly. He remarked also, that no portion of the declaration whatever had been contradicted by the evidence, and then proceeded]—Such openness and candour of statement under such circumstances—first to M. Mean, a friend, and next to the magistrate interrogating her on the charge, and who had, as was his duty, informed her that whatever she said might be used to her prejudice, but could not possibly be used to her advantage—I leave to speak for themselves. But I have now to request your attention to one particular point in connection with this declaration—the different purchases of arsenic. With regard to the purchase of the 21st I shall not trouble you with any further observations, because it does not require it; but the occasion of the second purchase cannot I think be so passed over. It was made on the 6th of

March, when she was going to the Bridge of Allan. For what purpose—for what murderous purpose could that purchase have been made? She had been doing, you will have observed, everything in her power to prevent the deceased from going to the Bridge of Allan at the same time as herself, and she had succeeded in preventing him; and yet when going away to the Bridge of Allan she bought this arsenic—when going away from the supposed object of her murderous attack—when she could not possibly have any use for it as affecting him, she carries it away with her. But then my learned friend the Lord Advocate says, that when she found some arsenic left over, and had got some which was of no use to her, she put it away, and in this way my learned friend tried to account for none having been found in her possession. But, gentlemen, what does she do on this 6th March in connection with what was done on the 18th? The Lord Advocate argues that, finding she could not administer it, she threw it away. What could she mean by that? Perhaps it may be said that she kept it at Bridge of Allan in case L'Angelier should come there. Well then, she must have kept it until the 17th. Now, gentlemen, why did she throw away the arsenic on the 17th, and buy more on the 18th? Why did she throw it away just when she was coming within reach of her victim, and then buy more, with circumstances of openness and publicity utterly inconsistent with the hypothesis of any illegitimate object. Why expose herself to the necessity of a repeated purchase when she could get or had got enough at once to poison twenty or a hundred men? Her conduct is utterly unintelligible on any such supposition as has been made by the prosecutor. Let us now look at what was her object at this time in another view. She wanted L'Angelier to go away; she was most anxious that he should go to the south of England—to the Isle of Wight—for ten days. Oh, says my learned friend, her object was to marry Mr Minnoch in the meantime. Why, gentlemen, there was no arrangement, by that time, of the day of her marriage with Mr Minnoch. She was going away herself for ten days or more on a casual visit to the Bridge of Allan; and if L'Angelier had followed her advice and gone to the south of England, he would have returned at the expiry of the period named only to find matters where they were—nothing more definite than in the month of January—Mr Minnoch still her suitor, but certainly not her husband. Then, again, L'Angelier's absence could surely be of no advantage to her, if she wanted to give him poison. All the facts, gentlemen, relating to this part of the case go to show this, that she had no object but perhaps to get rid of him for a time, to keep him from going to the Bridge of Allan, and to get him to go elsewhere, out of regard for his health, as expressed in her letters. But the possession of this arsenic is said to be unaccounted for, as far as the prisoner herself is concerned. It might be so, it may be so, and yet that would not make a case for the prosecution. She says she used it as a cosmetic. This might be startling at first sight to many of us here, but after the evidence we have heard, it will not in the least amaze you. Her statement, which has been so far borne out by evidence, was, that at school, she had read of the Styrian peasants using arsenic for the strengthening of their wind and the improvement of their complexions. No doubt they used it internally, and not externally as she did; but in the imperfect state of her knowledge, that fact is of no significance. L'Angelier, too, was well aware of the same fact. He stated to more than one witness—and if he stated falsely, it is only one of a multitude of lies proved against him, that he used it himself. It is not surprising that if L'Angelier knew of this custom, that he should have communicated it to the prisoner. It is not surprising, that, under these circumstances, the prisoner should have used the arsenic externally, for an internal use is apparently a greater danger, which might have suggested to her to try it externally; and there is no reason to suppose that, if used externally, as the prisoner says she did use it, it would be productive of any injurious effects; so that there is no reason to suspect, on that ground, the truth of the statement that the prisoner had made. No doubt we have had medical gentlemen coming here and shaking their heads and looking wise, and saying that such a use of arsenic would be a dangerous practice. Well, so should we all say, that it is both a dangerous and foolish practice. But that is not the question. The question is, whether the prisoner could actually so use it without injurious effects; and that she could do so is demonstrated by the experiments of Dr Laurie, and by the opinion of Dr Maclagan. The publication in *Chambers's Journal*, *Blackwood's Magazine*, and Johnston's *Chemistry of Common Life*, of information on such uses of arsenic had reached not the prisoner alone, but a multitude of other ladies, and had incited them to the same kind of experiments. The two druggists, Robertson and Guthrie, spoke to the fact of ladies having come to their shops seeking arsenic for such purposes on the suggestion of these publications. It cannot, therefore, be surprising to you, gentlemen, to learn that, when the prisoner bought this arsenic, she intended to use it, and did afterwards actually use it, for this very purpose. My learned friend the Lord Advocate said that great as was the courage that the unhappy prisoner displayed when charged with the crime, that demeanour was not inconsistent with the theory of her guilt. He said that a woman who had the nerve to commit the murder,

would have the nerve calmly to meet the accusation. I doubt that hypothesis. Gentlemen, I know of no case in which such undaunted courage has been displayed, from first to last, by so young a girl, confronted with such a charge, where that girl was guilty. But, gentlemen, our experience does furnish us with examples of as brave a bearing in a young a girl when innocent. Do you know the story of Eliza Fenning? She was a servant girl in the city of London, and she was tried on the charge of poisoning her master and family by putting arsenic into dumplings. When the charge was first made against her she met it with a calm and indignant denial; she maintained the same demeanour and self-possession throughout a long trial; and she received sentence of death without moving a muscle. According to the statement of a bystander, when brought upon the scaffold, she looked serene as an angel, and she died as she had borne herself throughout the previous stages of her sad tragedy. It was an execution which attracted much attention at the time. Opinion was divided as to the propriety of the verdict, and the angry disputants wrangled even over her grave. But time brought the truth to light; the perpetrator of the murder confessed it on his deathbed—too late to avoid the enacting of a most bloody tragedy. That case, gentlemen, is now matter of history. It happened at a time beyond the recollection of most of those whom I now address; but it remains on record—a flaming beacon to warn us against the sunken rocks of presumptuous arrogance and opinionative self-reliance, imbedded and hid in the cold and proud heart; it teaches us, by terrible example, to avoid confounding suspicion with proof, and to reject conjectures and hypotheses when tendered as demonstration. I fear that this is no solitary case—the recollection or the reading of any of us may recal occasions

> "When, after execution, Judgment hath
> Repented o'er her doom."

I pray God that neither you nor I may be implicated in the guilt of adding another name to that black and bloody catalogue. I have put before you, gentlemen, as clearly as I could, what I conceive to be the most important branches of this case; and I now ask you to bring your judgment—to bring the whole powers with which God has endowed you—to the performance of your most solemn duty. I have heard it said that juries have nothing to do with the consequences of their verdicts, and that all questions of evidence must be weighed in the same scale, whether the crime be capital or merely penal in a lower degree. I cannot agree to that proposition. I indignantly repudiate it. It may suit the cramped mind of legal pedants, or the leaden rules of a heartless philosophy, but those who maintain such a doctrine are ignorant of what materials a jury is, and ought to be, composed. Gentlemen, you are brought here for the performance of this great duty, not because you have any particular skill in the sifting or weighing of evidence—not because your intellects have been highly cultivated for that or similar purposes—not because you are of a class or caste set apart for the work; but you are here because, as the law expresses it, you are indifferent men—because you are like, not because you are unlike, other men; not merely because you have clear heads, but because you have warm and tender hearts—because you have bosoms filled with the same feelings and emotions, and because you entertain the same sympathies and sentiments as those whose lives, characters, and fortunes are placed in your hands. To rely, therefore, upon your reason only, is nothing less than impiously to refuse to call to your aid, in the performance of a momentous duty, the noblest gifts that God has implanted in your breasts. Bring with you to this service not only your clear heads, but your warm and tender hearts—your fine moral instincts, and your guiding and regulating consciences—for thus and thus only will you satisfy the oath which you have taken. To determine guilt or innocence by the light of intellect alone is the exclusive prerogative of infallibility, and when man's presumptuous arrogance tempts him to usurp the attribute of Omniscience, he only exposes the weakness and frailty of his own nature. Then, indeed,—

> "Man, proud man,
> Dressed in a little brief authority,
> Most ignorant of what he's most assured,
> Plays such fantastic tricks before high Heaven,
> As make the angels weep."

Raise not, then, your rash and impotent hands to rend aside the veil in which Providence has been pleased to shroud the circumstances of this mysterious story. Such an attempt is not in your province, nor the province of any human being. The time may come—it certainly will come—perhaps not before the Great Day in which the secrets of all hearts shall be revealed, and yet it may be that in this world and during our own lifetime the circumstances of this extraordinary story may be brought to light. It may even be that the true perpetrator of this murder, if there was a murder, may be brought before the bar of this very Court. I ask you to reflect for a moment what the feelings of any of us would then be. It may be our lot to sit on judgment on the guilty man. Would not our souls recoil with horror from the demand for more blood? Would not you be driven to refuse to discharge your duty in condemning the guilty because you had already doomed the innocent to die? I say, therefore, ponder well before you pronounce

thing short of the clearest evidence to induce or mislead you into giving such an awful verdict as is demanded of you. Dare any man hearing me—dare any man here or elsewhere say that he has formed a clear opinion against the prisoner—will any man venture for one moment to make that assertion? And yet, if on anything short of clear opinion you convict the prisoner, reflect how awful the consequences may be. Never did I feel so unwilling to part with a jury—never did I feel as if I had said so little as I feel now after this long address. I cannot explain it to myself, except by a strong and overwhelming conviction of what your verdict ought to be. I do feel deeply a personal interest in your verdict, for if there should be any failure in justice, I could attribute it to nothing but my own inability to conduct the defence; and I feel persuaded that, if it were so, the recollection of this day and this prisoner would haunt me as a dismal and blighting spectre to the end of life. May the Spirit of all Truth guide you to an honest, a just, and a true verdict! But no verdict will be either honest, or just, or true, unless it at once satisfies the conscientous scruples of the severest judgment, and yet leaves undisturbed and unvexed the tenderest conscience among you. (The Dean, having spoken upwards of four hours, sat down amidst an attempt at applause from the audience, which was immediately suppressed.)

After an interval of about a quarter of an hour, the Court resumed.

The LORD JUSTICE-CLERK then proceeded to remark upon and sum up the evidence. He said the verdict should rest wholly on the evidence which had been brought before them. In a case of poisoning, which was always an offence secretly perpetrated, it was quite true that it seldom occurred that anybody saw the mixture and preparation for poisoning, or its being put into the fluid or substance in which it was administered. He believed there were only two cases in which this was done in this country—one of them the case of Palmer, and the other the case of a Mrs Nairn, who was tried for poisoning her husband in the middle of last century. Poisoning was a crime which must generally be proved by circumstantial evidence; and it was very fairly and properly admitted that the administration of poison might be most satisfactorily proved by circumstantial evidence alone. But, on the other hand, great care must be taken that the circumstantial evidence was such as to exclude the possibility either of innocence on the one hand or of an unexplained and mysterious occurrence on the other. It was one great misfortune attending the administration of poison, that if the party was not immediately detected, in some such way as left no doubt of actual guilt, suspicions often arose most unjustly, and obtained great weight, just because it was a crime committed in secret. The person who last gave the victim a cup of coffee, or a glass of water, or a glass of wine, the person who made the last appointment with him, was thus exposed to strong and apparently well-founded suspicions, to which he might be falsely subjected. They must, therefore, keep in view that while on the one hand the crime had been perpetrated secretly, no eye had seen the parties at the time or what passed—on the other hand, they must not allow positive evidence to be supplied by suspicion, and still less admit of assumption as coming in room of that. They must be satisfied by proper evidence that the parties were together when the poison was said to be administered, satisfied that there was the purpose to administer poison upon the occasion referred to, that the accused had the poison, and that it was given and administered upon that particular occasion and in the circumstances set forth in the indictment. He wished them to keep in view that although they might not be satisfied with any of the theories that had been propounded on behalf of the prisoner—though they might not be inclined to adopt the notion either that L'Angelier was the man taking laudanum twice over in the course of the journey to Glasgow, or that he took arsenic himself, or believe Miss Smith's statement of the use for which she got arsenic—still, nevertheless, though all these matters might fail in her defence, the case for the prosecution might be radically defective in evidence. He owned there were some things which had been introduced into the evidence on the part of the prisoner—very naturally, perhaps, as it was very right to investigate everything regarding this man L'Angelier and his journey to Glasgow on 22d March—which he thought could not aid the prisoner in any degree. The jury must judge of that; but still they must have evidence before their minds in which there was no flaw, nothing but irresistible and just evidence, before they could arrive at the conclusion that on Sunday the 22d of March she did actually administer the poison. His Lordship then proceeded to read over the evidence of the principal witnesses, already fully reported. In regard to the first part of the evidence of Mrs Jenkins, he remarked that it was not immaterial that it could be gathered from what she said that L'Angelier's health seemed to have failed more or less before the occasions on which it was alleged poison was administered. As to the indictment, it charged the prisoner with the administration of poison, with intent to murder, on certain days of the month. Now, in the indictment itself, in such a case, mere accuracy as to the precise date would be of no importance, and whether it were 19th or 20th February, or 12th or 13th, would not have mattered, had evidence pointed to a different date. But in this case it would be observed that the Crown, not only in the indictment, but in the argument afterwards, fixed upon the date 19th or 20th February; and therefore

if the evidence did not satisfy them that that was the exact day—if, on the contrary, it were proved that it could not have been upon that day, but upon an earlier day—then, seeing that the prosecutor, from the letters, from the conduct of the parties, from everything else had taken the date to be the 19th or 20th, the case brought before the jury was not supported by the evidence. Now Mrs Jenkins might be mistaken about this being eight or ten days before the second time, and the opinion might be that she was; but that was not enough, whatever suspicions there might be. She was not shaken upon that point at all. On the contrary, the other evidence in the case seemed to him to show that she was right upon this ground. She could hardly have forgotten, considering the illness of the 22d, whether it had only been one day before or two days before, and whether he was but recovering from the effects of the first before he had the second. When he said "recovering," he did not allude to his altered appearance, but to the fact of his recovery from actual sickness. This was his first illness before the 22d. There was this remarkable fact that there was nothing whatever—not a vestige of proof—that the prisoner had arsenic in her possession on that occasion. It would not do to infer from her having arsenic afterwards that she probably had arsenic on the first occasion. The purchase of arsenic had been sufficiently proved against the prisoner. She admitted it when she was examined; and it would be for the jury afterwards to consider how far the fact that she had purchased it openly was for or against her as to the suspicion of having had it on the first occasion; because if it had been proved that she had purchased arsenic at a romote part of the town, and under a false name, that would have only made the case stronger against the prisoner. Of the possession of arsenic by the prisoner at the first period, they had no proof in the evidence, however the purchase and use of arsenic might be afterwards proved. It ought not to be forgotten that the contents of the stomach on these two illnesses had not been examined, and therefore it was merely an inference that they were from arsenic, drawn from the fact that on the 22d of March he died from this poison. This was, he thought, very loose and unsatisfactory indeed. With reference to the second charge of administering arsenic, the jury had to consider that at this time the prisoner had arsenic in her possession which she had obtained at Murdoch's the night before L'Angelier's illness commenced. This was very true, and if the possession of that arsenic was not properly accounted for, they must suppose it was got for some other purpose than that which she described. He attached little importance to the statements of the druggists as to what was said by the prisoner about rats, because, without stating some such object, she would not have got it at all, and it was not to be supposed, if she had wanted it for a cosmetic, that she would tell the druggist. The fact remained, however, that she had arsenic in her possession on the 21st; and the question then arose, Did she see the deceased on the Sunday before the arsenic was administered? Mrs Jenkins did not see him go out of the house that night; and he asked the jury to consider whether there was, on the whole, apart from the correspondence, evidence that they had met together that night. If there was no proof that the administration took place on the 22d of February, when it was alleged by the Crown that the resolution to poison had been of previous date, then there was great force in the observation that the foundation of the case of the prosecutor had been shaken. The impression made on his (the Lord Justice-Clerk's) mind, after going over Mrs Jenkins' narrative of L'Angelier's last illness, was that he did not commit suicide; and his Lordship pointed to various circumstances—such as his thinking he had an attack of bile—to show that this was not a likely supposition. The aversion of the deceased to taking laudanum proved, he thought, that the person whom the druggists at Coatbridge and Baillieston saw was not L'Angelier, and the jury would feel that there had been some mistake in this matter. Well, L'Angelier went out at nine o'clock, and gave intimation that he was to be wakened early next morning, as he had to leave again. There was nothing to show that he expected an illness. His Lordship then read that portion of Mrs Jenkins' evidence describing L'Angelier's last illness. He had made no statemennt whatever as to where he had been, or about the prisoner. As to the letter found in the vest-pocket of the deceased, beginning with the words,—"Why, my beloved, did you not come to me," it was not proved that he had got another letter. He had got this letter on Sunday morning. He was most ardent to see the girl; he expected to get a satisfactory answer; and it could not be wondered that he should hurry in on Sunday in the expectation that he would find some way of seeing her. And, supposing the jury were quite satisfied that the letter did bring him into Glasgow, were they in a condition to say, with satisfaction to their consciences, that as an inevitable and just result from this, they would find it proved the prisoner and deceased had met that night? That was the point in the case. That they might have the strongest moral suspicion—that they might believe that he was well able, after all this correspondence, to obtain the means of an interview—that she who had complained so much of his not coming, and said she would wait to-morrow night, "Friday, the same hour and place,"—was

likely to be waiting also on Sunday evening, which was not an uncommon evening for their interviews. All this might be very true; the probability was that they all thought so; but they were dealing with a case in which the evidence required to be satisfactory, complete, and distinct. The jury might infer certain facts from the correspondence, and they might safely infer that the meetings took place, but it was for them to say whether that link in the chain was supplied by just and satisfactory inference. If they morally felt in their minds, and had the strongest suspicion, that L'Angelier saw the prisoner that night. the whole probabilities of the case were in favour of the supposition; but if that was all that could be proved from the facts a link still remained wanting in the chain—the catastrophe and the alleged cause of it are not found together. They must really, therefore be satisfied in their own minds that they stood on a firm foundation. If they felt they stood on a just and sound, and, he would add, unavoidable foundation, they were perfectly entitled to draw the inference; but it was an inference of a very serious character, and on it the life or death of the prisoner really depended. Concluding his examination of Mrs Jenkins' evidence, he said she spoke to L'Angelier not taking medicine, his aversion to laudanum, and, more important than all, deceased had said to her, "The letter you sent me brought me home." Plainly she had suspected that something was wrong from the fact of his having been ill three times after he had been out so late. Coming to Mr Ross's evidence, and the evidence for the defence, that deceased had gone into several druggists' shops on his way to Glasgow, his Lordship observed that Mr Ross could not have forgotten if L'Angelier had gone into any such shop, and it was not likely that he should pour laudanum down his throat so soon after he had taken a hearty dinner. With regard to the evidence as to the recovery of the letters, he observed that the moment they were seized by the warrant of the Sheriff an inventory ought to have been taken of them, and that inventory should have been made by the Sheriff-Clerk, as the officer of the Crown. He did not mean that the Procurator-Fiscal should not get access to them—quite the reverse; but this should have been done in order accurately to ascertain what was found. But there could be no doubt that all the letters that were found were produced. His Lordship also referred to the leisurely marking of the letters by the officers as rather a loose proceeding, and one which might have defeated the ends of justice. Commenting on the alleged use of arsenic as a cosmetic by the prisoner, in consequence of having read of the Styrian peasants, who, by taking it, became rosy and plump in complexion, his Lordship remarked that the prisoner must have known that the mountaineers took it inwardly, and in small quantities regularly, and that these results could not be produced by applying it once or twice externally. With regard to the prisoner's statement to the chancellor of the French Consulate that deceased had never been in the house, he remarked that she derived no benefit from this denial, because the evidence of Christina Haggart stated he had entered the house, and was there for a whole hour upon one occasion. On the other hand, there was no doubt that she could not have expected to keep her letters secret by L'Angelier's death, which event would only have made them more public. He dwelt upon the fact of the prisoner having given cocoa to the deceased. That was a very important circumstance, but it became still more important a little further on, when she said that the servants and the family must have known of her having been in the habit of using cocoa in her bed-room. The evidence of the prisoner's sister certainly went to show that cocoa was openly used by the prisoner at the breakfast table; but neither the servants nor this witness were aware of the fact of cocoa being taken in the prisoner's bed-room, as stated in the declaration. She further said that she was advised when at school, by a young lady, the daughter of an actress, to use arsenic as a cosmetic, and also that she read recommendations to this effect in certain publications. In reference to the latter assertion, his Lordship remarked that not one of the publications produced contained anything of the kind. With regard to the young lady designated as the daughter of an actress, she was a respectable lady of very prepossessing appearance, married to an English solicitor, and she distinctly declared that she had never had any conversation with the prisoner on the subject of cosmetics. Speaking of the evidence of one of the witnesses to the effect that she had given arsenic to the gardener to destroy vermin, he reminded the jury that the prisoner one morning had fled from her father's house, and was caught on the way to Helensburgh. Now, he had no notion that she then intended to escape. She said herself that she was flying from motives of shame; but what he wished the jury to observe in connection with this was, that she had already made a statement about sending arsenic to the gardener at Row, near Helensburgh, and it might be that, remembering this, she had gone to Helensburgh to take the gardener into her confidence on that subject. Escape, he thought, was not her object. She had made a fixed statement, and perhaps was anxious to be able to account for the poison, and even called upon to do so. His Lordship, as it drew towards six o'clock, intimated that it would not be possible for him to finish his charge that day. The Court then adjourned.

NINTH DAY.—Thursday, July 9, 1857.

THE Court met this morning at nine o'clock, when

The LORD JUSTICE-CLERK proceeded with his charge to the jury. Remarking on the recovery of the letters found in the repositories of L'Angelier, he said, that although the method of procedure which was adopted had been loose, irregular, and slovenly, it did not appear that the panel had suffered any prejudice from the want of any of them. As to each letter being in its proper envelope, in the first part of the correspondence it did not much signify whether such were the case, because there was no doubt that those passionate letters, written by the prisoner, declaring such strong love for L'Angelier, and some of them expressed in very licentious terms, had been written by her at some time or other. Complaints had been made as to the difficulty of getting access to the correspondence on the part of the prisoner. On the whole, it appeared to him that the facilities afforded to her for conducting her defence were such as no other panel had ever had. Commenting on the evidence of the female servants, he observed that a material part of this evidence was, that it shewed that on one occasion an interview took place between prisoner and deceased in the house, and that there were ample facilities for the prisoner admitting L'Angelier to the house, if she wished it, without any one in the house knowing of it; so that if there was evidence otherwise sufficient to satisfy the jury that he went to the house on the night of Sunday, 22d March, there was nothing in the fact that he was not heard. On this point there was also the fact that the prisoner got out of the house, on the Thursday morning, without this being known by any one. As to the story about using the arsenic as a cosmetic, he confessed that he looked on it as a false pretence altogether, and an excuse for the possession of the arsenic; this story, therefore, was not of the slightest importance at all. There was no doubt that on the night of the 22d, after his return from Bridge of Allan, L'Angelier went out in the direction of the panel's house. With reference to the illegibility of several of the postmarks on the letters, he observed that the attention of the Post Office authorities had been called to the necessity of their being made more distinct by Lord Campbell in a similar case, and by himself; and considering the importance of this point to the ends of civil and criminal justice, he trusted this would be the last occasion on which these marks would be found so carelessly impressed. Reverting again to the probability of an interview between the prisoner and deceased on Sunday, his Lordship remarked, that as she had waited for him one night according to appointment, and another night after that, and then wrote another letter, imploring him in terms professing strong passion for him, to come and clasp her to his heart, it would not be wonderful if she expected that he would come on the Sunday night, though the appointment was for Saturday night. Coming next to Miss Perry's evidence, he remarked on the fact that L'Angelier had said to her that, on two occasions before he took ill he had got coffee and cocoa, or chocolate from the panel. They had no proof that the panel had arsenic in her possession on the 19th February, and there was no evidence of any meeting on the 19th, except what was drawn from the letter, the date of which the Lord Advocate fixed for the Wednesday. But here was a statement by the dead man, it was good and competent evidence, and the jury must judge of the weight of it—he mentioned at Portobello that he was ill after getting coffee and cocoa, and that he thought he had been poisoned, and again to Miss Perry he said, 'I can't think why I was so unwell after getting that coffee and chocolate from her.' This, most unquestionably, referred to two different illnesses, each following the getting of coffee and cocoa or chocolate from the prisoner. The jury must judge whether this conversation with Miss Perry was of importance; she did not interrogate him on the subject, and she seemed very properly to wish to banish the thought from his mind. Still, this was said in earnest; and Miss Perry stated on oath that she thought he entertained some suspicion of the panel, though not a serious suspicion. It was true that Miss Perry knew the intimacy between the two parties was clandestine; that was strange conduct in a person of her respectability and of her age; but sometimes they would find that ladies at her time of life had a good deal of absurd sentimentality about them, and this lady seems to have had considerable pleasure in being the confidant of the attachment between these two young persons. Her conduct might be explained in this way; but he did not think it could be doubted that she was a truthful witness. The jury must, however, consider whether all this amounted to more than to give rise in their minds to very great suspicion, which might not warrant them in coming to a conclusion that he did get poison. They must remember that though he was ill on these occasions, and seemed to ascribe his illness to cocoa, there was no proof that the attack was really caused by arsenic on either of these two occasions. The symptoms corresponded with those of irritant poison,

no doubt, but then they might also be the symptoms of bilious attack; and the jury must consider whether they were warranted in concluding, on his statements, however strongly made, to Miss Perry, that these attacks arose from some poisonous substance, it did not signify what. Prisoner bought arsenic on the 21st of February, before the second illness, and therefore the fact of her possessing it on that occasion of course gave much greater strength and point to his remark, that he did receive something which had made him ill, on the 27th February. As to the evidence for the defence, that he had on one occasion threatened to throw himself from a window in the Rainbow Tavern, his Lordship observed, that as the witness was in bed at the time, the deceased had ample opportunity to have thrown himself over, if had been so inclined, before the witness could have interfered; and the jury would consider whether, when going about the room in an excited state, he had just thrown open the window to get some air, without any intention of committing suicide. As to the other stories, that he would drown himself if he were jilted, they did not amount to much, when it was known that on one occasion he had been jilted and had not drowned himself. He also treated the story as to giving arsenic to horses on a journey in France as very unimportant; it was nonsense to say that it made them long-winded if only given to them once, because it was only the constant use of it which could produce that effect. Altogether, he did not see the importance or materiality of this evidence. It was brought to support the notion that he poisoned himself with arsenic; but if he was in the habit of taking it in small quantities, he knew its qualities, and therefore this did not aid the notion that he took an immense quantity on 22d March, for the purpose of destroying himself. No doubt, the prisoner was not bound to prove that he poisoned himself—it was enough for her to satisfy them that there was not evidence to bring home to her the guilt of poisoning him; but it was a hazardous thing to set up in defence that L'Angelier went out that night carrying so large a quantity of arsenic in his pocket, and that he swallowed it how, where, or when no human being could conceive. And, therefore, he thought the case stood far better for the prisoner on her real plea, that the guilt was not brought home to her, which was truly the matter at issue. The jury, therefore, would probably hold that the notion of his having poisoned himself was in reality groundless, and did not strengthen the case. Proceeding to the evidence of the druggists at Coatbridge and Baillieston, his Lordship remarked that they had to place against that Mr Ross's evidence that he walked with him all the way to Glasgow, that he never complained of being ill, and that he had not gone into any shop on the way. There must, he thought, be a mistake on the part of these people as to this being L'Angelier at all. It must also be remembered that he went home and took tea, and never complained that anything was wrong with him. As to the evidence that he bought a white powder in Kirk's shop, Gallowgate, his Lordship said it was not even suggested that this was arsenic; if it was arsenic, it must have been entered in the register; and he did not think the jury could believe that he bought arsenic there just after he left Ross and before he saw the panel, or knew what answer he would get from her. The witness Kirk identified L'Angelier's purse as that from which he had taken the money to pay for the powder; but it was very probable, his Lordship thought, that some of the jury might have a purse in their pockets exactly like it. As to the third letter put in for the defence, written by the prisoner to L'Angelier, denying that the conversation of young ladies at school had reference to certain subjects, his Lordship remarked that this seemed to have been written in reply to some complaint by L'Angelier as to the impropriety of her conversation, and with the view of correcting her faults. As to the evidence with regard to the arsenic kept in great chemical works, he observed that there was no evidence that L'Angelier was ever seen about these works at all. Alluding to Dr Laurie's experiments with arsenic, he observed that in these experiments the hands and face were immediately afterwards washed with cold water, which might prevent any irritation, but if it was so used in this case, what effect could it have as a cosmetic? His Lordship next directed attention to the correspondence. On this point he observed: The Lord Advocate states his theory of the case thus: the panel became acquainted with L'Angelier, the acquaintance went on very rapidly, and ended in an engagement; they corresponded frequently and clandestinely; on the 6th of May 1856 he got possession of her person; the engagement was discontinued once or twice; the letters continued on her part in the same terms of passionate love for a very considerable time—I say passionate love, because unhappily they are written without any sense of decency, and in most licentious terms. After a certain time Mr Minnoch's attentions to the girl became very marked; she saw there was no chance of marrying L'Angelier even if she continued to like him sufficiently; but the other was certainly a most desirable marriage for her to make. The Lord Advocate says that her object was to extricate herself from the position in which she was in; that she first makes an appeal to L'Angelier to give up her letters; she writes then very coldly, and says the attachment has ceased on her part, and she thinks on his part also; certainly there was no reason to suppose that, though he frequently blamed her conduct; but that is what she states. The Lord Advocate says that by these cold letters she was trying to make him give her up, and to give up her letters. She failed in that. The Lord Advocate says that then she pro-

ceeded to write in as warm terms as ever, and to talk of their embraces as she had done before. She does not succeed by that tone, and then she receives him, as he says must be inferred and is proved, into her house for the purpose of gaining her object. She has to leave Glasgow, and he too has to go to Edinburgh. She returns, and she understands that he returned, and she writes letters for the purpose of having interviews with him. The Lord Advocate says, that on the former occasion, when she failed in getting the letters, out of resentment she had administered the poison to him on the 19th and 22d; and aware that no allurements, or enticements, or fascinations from her would get the letters from him, she had prepared for the interview which she had expected on the 22d March, by another purchase of arsenic, and with the intention to poison him. The Lord Advocate's theory and statement is, that the interview having taken place, she did accordingly administer that dose of arsenic from which, howsoever administered, he died. All this, on the other hand, is treated as a totally incredible supposition by the counsel for the prisoner. It is said that she could not have had such a purpose—that it is something too monstrous to believe or enquire into even. Gentlemen, it is very difficult to say what might not occur to the exasperated feelings of a female who had been placed in the situation in which this woman was placed. And there it is that the correspondence comes to be of much importance in ascertaining what sort of feelings this girl cherished, what state of mind and disposition she was of, and whether there is any trace of moral sense or propriety to be found in her letters, or whether they do or do not exhibit such a degree of ill-regulated, disorderly, distempered, licentious feelings as to shew, that this is a person quite capable of cherishing any object to avoid disgrace and exposure, and of taking any revenge which such treatment might excite in the mind of a woman driven nearly to madness, as she says she was. I shall not read many of these letters, but there are some characteristics of the character of the panel—displaying her mind and feelings—which I think it is of importance to place before you, as shewing the progress of this atttachment and the manner in which it was carried on. It is very curious that the first letter is written by her; and L'Angelier replied as you might expect a young man of his temperament to do. His Lordship then read one of the letters, remarking that it seemed that the girl's ill-regulated passions broke out months before any sexual intercourse had taken place; the expressions used in that and following letters were most singular, as passing between two unmarried people. We heard, said his Lordship, a good deal said by the Dean of Faculty as to the character of this panel; we have no evidence on the subject except what these letters exhibit, and no witness to character was brought; but certainly these letters shew as extraordinary a frame of mind, and as unhallowed a passion as perhaps ever appeared in a court of justice. Can you be surprised, after such letters as those of the 29th April and 3d May, that on the 6th of May, three days afterwards, he got possession of her person? On the 7th of May she writes to him, and in that letter is there the slightest appearance of grief or of remorse? None whatever. It is the letter of a girl rejoicing in what had passed, and alluding to it, in one passage in particular, in terms which I will not read, for perhaps they were never previously committed to paper as having passed between a man and a woman. What passed must have passed out of doors, not in the house, and she talks of the act as hers as much as his. His Lordship here read the letter and observed: This is a letter from a girl, written at five in the morning, just after she had submitted to his embraces; can you conceive or picture any worse state of mind than this letter exhibits? In other letters she uses the word 'love' underscored, shewing clearly what she meant by it; and in one letter she uses the most disgusting and revolting language, exhibiting a state of mind most lamentable to think of. After reading several other letters, his Lordship came to those of February 1857, as to which he observed that it was plain she was then playing a part. She had been writing to 'My dearest William'—referring to Mr Minnoch—talking of the happiness of her expected marriage with him. As to the last letter, which brought L'Angelier from the Bridge of Allan, she said that it was written to inform him of her engagement to Mr Minnoch; but how strange that she should not say a word about that in it. He remarked on the fact, that in the letter in which the prisoner said she would give the deceased a loaf of bread the next time he came, she said she would give him it before he went 'out'—shewing that it was intended he should be let into the house. His Lordship observed that there could be no doubt that it was the prisoner's letter which brought L'Anglier from the Bridge of Allan, and he then proceeded: In ordinary matters of life, after that, you could not have any hesitation in coming to the conclusion that they did meet accordingly. But that becomes a very serious question in a case where that meeting is supposed to end in the administration of poison, and death follows. It may be a very natural inference, that looking at the thing morally, no one can doubt that he went to see her, and would see her that night, for she had no difficulty in making arrangements to see him; and if she waited the second night after the first letter it would not be surprising that she should look out for an interview on the second night after the second letter.

The Dean of Faculty—She did not wait the second night after the first letter. She waited only one night.

The LORD JUSTICE-CLERK—I am sure the jury understood what I meant.

The DEAN—It is the turning point of the case, because the slightest difference of expression may convey a different meaning.

The LORD JUSTICE-CLERK—She says: 'I shall wait again to-morrow night, same hour and arrangement,' and I say there is no doubt—but it is a matter for the jury to consider—that after writing this letter she should wait another night—that is the observation I made. And therefore it was very natural that he should go to see her that Sunday night. But, as I said to you, this is an inference only. If you think it such a just and satisfactory inference that you can rest your verdict upon it, it is quite competent for you to draw such an inference from such letters as these, and from the conduct of the man coming to Glasgow for the purpose of seeing her—for it is plain that that was his object in coming to Glasgow. It is sufficiently proved that he went out immediately after he got some tea and toast, and had changed his coat. But then, gentlemen, in drawing an inference, you must always look to the important character of the inference which you are asked to draw. If this had been an appointment about business, and you found that a man came to Glasgow for the purpose of seeing another upon business, and that he went out for that purpose, having no other object in coming to Glasgow, you would probably scout the notion of the person whom he had gone to meet saying I never saw or heard of him that day; but the inference which you are asked to draw is this—namely, that they met upon that night, where the fact of their meeting is a foundation of a charge of murder. You must feel, therefore, that the drawing of an inference in the ordinary matters of civil business, or in the actual intercourse of mutual friends, is one thing, and the inference from the fact that he came to Glasgow, that they did meet, and that therefore, the poison was administred to him by her at the time, is another, and a most enormous jump in the category of inferences. Now, the question for you to put to yourselves is this—Can you now, with satisfaction to your own minds, come to the conclusion that they did meet on that occasion, the result being, and the object of coming to that conclusion being, to fix down upon her the administration of the arsenic by which he died? Now, then, gentlemen, let us take the three charges in the indictment. The first charge is, that she administered poison on the 19th or 20th February 1857. Probably you will be of opinion, on the evidence of Miss Perry and others, that he did see her on that occasion, as well as on the 22d; but as to the 19th, she was not proved to have had arsenic or any other poison in her possession; and what I attach very great importance to is, that there is no medical testimony, by analysis, of the matter vomited that that illness did proceed from the administration of arsenic. If the doctor had examined the matter vomited, and said that there was certainly arsenic here, I am afraid the case would have been very strong against her, as having given him coffee or something immediately before his illness on that occasion. But it is not proved that the illness arose from the administration of poison; arsenic she had not, and there is no proof of her having possessed anything else deleterious. Therefore, I have no hesitation in telling you that that charge has failed. He had thrice before been seized with illness of this description—at M. Meau's, at Mr Roberts', and in his own lodgings, as spoken to by one of the Bairds—which are not alleged to have been caused by arsenic. And, therefore, I have no hesitation in telling you as to that, that I think that charge has failed. I think it my duty to tell you, as a Judge, that on that charge you should find her not guilty. But we are in a very different situation as to the illness of the 22d and morning of the 23d. In one respect it is not proved to be from the administration of any deleterious substance; and perhaps you may think it safer not to hold, in such a case as that, that it was the result of the administration of arsenic or of any poisonous substance. But what would connect the prisoner with that is, I think, much stronger—that is to say, connect her with a meeting with him that night. If you should think you can acquit her of the first, and that there is too much doubt to find the second proved, why then you will observe how much that weakens all the theories that may be raised on the correspondence of a purpose and a desire of revenge, or of something arising from the change of tone, and a desire to allure him again to her embraces and her fascinations, which cannot be accounted for excepting on this supposition; in that view, undoubtedly, the foundation of the case is very much shaken, and will not lead you to suppose that the purpose of murder was cherished on the 22d. Then, as to the charge of murder, gentlemen, the point for you to consider—surrounded as the panel is with grave suspicion, with everything that seems to militate against the notion of innocence, upon any theory that has been propounded to you—is this, are you prepared to say that you find an interview proved against her with the deceased on the night of the 22d March? She had arsenic before the illness of the 22d February; and, I think, you will consider that all the excuses which she made about having arsenic, are just as groundless as those which she stated to the apothecaries. She bought arsenic again on the 6th; and, certainly, it is a very odd thing that she should buy more arsenic after she came back to Glasgow on the 18th of March. For unless you are to take the account, to be sure, that she used it as a cosmetic, she has it before the 22d, and that is a dreadful fact if you are quite satisfied that she did not get it and use it for the purpose of washing her hands and face. It may create the greatest reluctance in your mind to take any other view of the

matter than that she was guilty of administering it somehow, though the place where may not be made out, or the precise time of the interview. But, on the other hand, you must keep in view, that arsenic could only be administered by her, if an interview took place with L'Angelier; but that interview, though it may be the result of an inference that may satisfy you morally that it did take place, still rests upon an inference alone; and that inference is to be the ground, and must be the ground, on which a verdict of guilty is to rest. Gentlemen, you will see, therefore, the necessity of great caution and jealously in dealing with any inference which you may draw from this. You may be perfectly satisfied that L'Angeer did not commit suicide; and, of course, it is necessary for you to be satisfied of that before you could find that anybody administered arsenic to him. Probably none of you will think, for a moment, that he went out that night, and that without seeing her, and without knowing what she wanted to see him about if they had met, that he swallowed above 200 grains of arsenic on the street, and that he was carrying it about with him. Probably you will discard that altogether, though it is very important, no doubt, if you come to the conclusion that he did not swallow arsenic; yet, on the other hand, gentlemen, keep in view that that will not of itself establish that the prisoner administered it. The matter may have remained most mysterious—wholly unexplained; you may not be able to account for it on any o ther supposition; but still that supposition or inference may not be a ground on which you can safely and satisfactorily rest your verdict against the panel. Now then, gentlemen, I leave you to consider the case with the reference to the views that are raised upon this correspondence. I don't think you will consider it so unlikely as was supposed that this girl, after writing such letters, may have been capable of cherishing such a purpose. But still, although you may take such a view of her character, it is but a supposition that she cherished this murderous purpose—the last conclusion of course that you ought to come to merely on supposition and inference and observation upon this varying and wavering correspondence of a girl in the circumstances in which she was placed. It receives more importance, no doubt, when you find the purchase of arsenic just before she expected, or just at the time she expected L'Angelier. But still, these are but suppositions—these are but suspicions. Now, the great and invaluable use of a jury, after they direct their minds seriously to the case with the attention you have done, is to separate firmly—firmly and clearly in their own minds—suspicion from evidence. I don't say that inferences may not competently be drawn; but I have already warned you as to inferences which may be drawn in the ordinary matters of civil life and those which may be drawn in such a case as this; and therefore if you cannot say, we satisfactorily find here evidence of this meeting, and that the poison must have been administered by her at any meeting—whatever may be your suspicion, however heavy the weight and load of suspicion is against her, and however you may have to struggle to get rid of it, you perform your best and bounden duty as a jury to separate suspicion from truth, and to proceed upon nothing that you do not find established in evidence against her. I am quite satisfied that whatever verdict you may give, after the attention which you have bestowed upon this case, will be the best approximation to truth at which we could arrive. But let me say, also, on the other hand, as I said at the outset, that of the evidence you are the best judges, not only in point of law, but in point of fact; and you may be perfectly confident that if you return a verdict satisfactory to yourselves against the prisoner, you need not fear any consequences from any future, or imagined, or fancied discovery which may take place. You have done your duty under your oaths under God and to your country, and may feel satisfied that remorse you never can have.

Throughout the Lord Justice-Clerk's address the prisoner appeared to preserve her usual demeanour, but manifesting the utmost interest in every word that his Lordship uttered. On one occasion, where his Lordship in reading his notes showed that he had mistaken the expression of one of the witnesses as to L'Angelier having said, when in Dundee, that he sometimes heard sounds in his ears "like the tramping of rats," for the expression "the sound of rat-traps," the prisoner laughed with great apparent heartiness.

The jury retired about ten minutes after one o'clock, immediately upon which the audience in Court fell into keen excitement and discussion. About five minutes after the retirement, a bell rang, which was at first thought to be the signal from the jury that they were ready with their verdict, and a deep thrill of anxiety was visible throughout the Court—although the prisoner only slightly turned her head for a moment. During the whole of the remaining period for which the jury were absent, she showed no particular symptoms of agitation—although, about twenty-five minutes past one, a second bell, which proved to be that of the Judges, caused a repetition of the same scene.

At thirty-two minutes past one, the jury bell rang, and the jury entered the b three minutes afterwards. The prisoner still gave no symptoms of emotion.

The LORD JUSTICE-CLERK intimated that it must be understood that there must be no expression of any sort of feeling by the audience, whatever might be the verdict.

The names of the jury having been called, Mr Moffat, of the High School, was announced as Chancellor, and read the verdict as follows, amidst a death-like silence :—

In regard to the FIRST CHARGE, the jury, by a majority, find a verdict of NOT GUILTY.

In regard to the SECOND CHARGE, the jury find, by a majority, a verdict of NOT PROVEN.

In regard to the THIRD CHARGE [the charge of MURDER], the jury, by a majority, find a verdict of NOT PROVEN.

Instantly on the announcement of these last words, a vehement burst of cheering came from the audience, especially from the galleries, which was again and again renewed with increasing loudness in spite of the efforts of the Judges and the officers of Court.

Whilst the Chancellor was reading the verdict, the prisoner gazed at the jury steadily, but with no signs of agitation, and when the verdict of Not Proven on the third charge was pronounced, her head slightly fell, and her face broke into a bright but somewhat agitated smile. Her hands were on the instant warmly grasped by her agent, Mr. Ranken, on one side, and by the Jail matron on the other —expressions of sympathy which seemed to affect the accused more deeply than any incident of the nine days' trial.

The LORD JUSTICE-CLERK, in thanking the jury for their services (and intimating that they would be relieved from similar duties for five years), stated that they would have perceived from what he had said to them that his own opinions quite coincided with the conclusion at which they had arrived.

The prisoner was then dismissed from the bar, and left the Court by the trap-door through which she had ascended each morning.

Outside, the announcement of the verdict called forth strong cheering from what seemed a majority of the great multitude collected.

At the conclusion of the tragedy there was enacted a short bit of comedy. During the forbidden expressions of applause, the Lord Justice-Clerk's active eye had fallen upon a man in the front gallery as particularly enthusiastic, and whom his Lordship identified and pointed out to the policeman, as having in his hand a newspaper. After the prisoner had been dismissed, the Lord Justice-Clerk said,—"Is that young man in custody?—bring him to this bar." The culprit was then marched in, fully guarded, and having been placed in the proper position, immediately opposite the presiding Judge, his Lordship, having adjusted his glasses and surveyed him narrowly, pronounced sentence as follows :—"This Court has ordered you to its bar as an offender against its rules; but after looking at you, we do not think you are worthy to stand even in that position. You appear a very stupid person. Foolish, silly, fellow! Go away!" The criminal, who looked as if he expected a nine day's trial, and had been calculating the number of years of penal servitude attaching to his offence, suddenly stood erect, and retired with great precipitation to the great amusement of all spectators.

So ended this remarkable trial, one of the most marvellous features of which has been the conduct of the prisoner during the nine days over which it extended. The following sketch from the *Ayrshire Express* will give some idea of her bearing throughout :—"In the midst of all the excitement, passing through the eager crowd from and to prison, seated at the bar with hundreds of eyes fixed steadily upon her, Madeleine Smith is the only unmoved, cool personage to be seen. From the first moment to the last she has preserved that undaunted, defiant attitude of perfect repose which has struck every spectator with astonishment. She passes from the cab to the court-room, or rather to the cell beneath the dock, with the air of a *belle* entering a ball-room. She ascends the narrow staircase leading into the dock with a cool, jaunty air, an unveiled countenance, the same perpetual smile, or smirk rather, for it lacks all the elements of a genuine smile—the same healthy glow of colour, and the same confident ease. The female turnkey at her side looked much

of the prisoner, for, while she is still and scarcely ever lifts her eyes, Miss Smith never ceases surveying all that goes on around her, watching every word of every witness, returning every stare with compound interest, glancing every second minute at the down-turned eyes in the side galleries, and even turning right round upon the reporters immediately behind her, to see how they get along with the note-taking which is carrying her name and deeds into every British home. When judges and jurymen retire for lunch she refuses even so much as a small packet of sandwiches. Others may be thirsty amid the hot excitement, but when the female attendant offers her a glass of water she will not have it. There she sits, refusing food and drink or a moment's retirement in her cell, with her smelling bottle in her dainty little hand, which she never uses—a splendid specimen of physical power and of such endurance as only a will of terrible strength could attain. When she is called up to plead, she says, in a clear, sweet treble—no trace of huskiness or emotion perceptible in the voice, no trembling on her tongue, 'Not guilty.' The Dean of Faculty, her leading counsel, bids her good morning, or says a word when the proceedings close for the day, and she smiles so cheerily you listen to hear her laugh. Whoever speaks, counsel or witness, must be visible of the fixed, penetrating glance of her large dark eye. Her head is perpetually turning from the gentlemen of the long robe to the responsive witness box, as questions are put and answered. She has a well-cultivated taste,—that is evident. She is elegant without show; a rich brown silk gown, with a large brooch, low set in the breast; a white straw bonnet simply trimmed with white flowers; a white cambric handkerchief, and a bottle of smelling salts in her kid-gloved hand. Her hair, of which she has a rich profusion, is quietly arranged in the fashion prevalent before the Eugenie style, although the smallness of the bonnet, which is one of the most fashionable make, necessitates the leading of two ebony pins across the crown of her head. Miss Smith is about five feet two inches in height. She has an elegant figure, and can neither be called stout nor slim. She looks older than her years, which are 21. Her eyes are deep-set, large and somewhat beautiful; but they certainly do not look prepossessing. Her brow is of ordinary size, and the face inclines to the oval. Her nose is prominent, too long to be taken as a type for the Roman, and too irregular to remind of Greece. Her complexion, in spite of prison life, is clear and fresh. Her lips are well coloured, and the insinuation that a rosy hue is imparted by artificial means, made by some portions of the press, does not seem well founded. The scene in the court-room is such as the High Court of Justiciary has never presented since in the present century. The whole of the Faculty of Advocates would seem to be there, filling more than their own gallery; a goodly array of Writers to the Signet appeared in their gowns; upwards of a score of reporters for the press plied busy pencils; the western side gallery abounded in mustachiod scions of the aristocracy; ministers of the Gospel were there gathering materials for discourses; public dignitaries in abundance. Lords Cowan and Ardmillan, after they are relieved from their duties elsewhere, come and sit in undress on the bench; so does the Hon. Lord Murray, and Lords Wood, Deas, and others. The fee given to the Dean of Faculty, the senior counsel for the defence, is said to be 100 guineas, but this honorarium could be supplemented by a daily 'refresher' during the trial."

An immense crowd waited to see Miss Smith leave the Court; after waiting some time, one of the detectives was noticed going down High Street into Hunter Square, and latterly into one of the cabs at the stance in that Square. The crowd were quite certain that he was sent for the cab for the purpose of taking Miss Smith from the Court as usual; and they were the more convinced of that when he returned to Parliament Square in the cab. In a moment it was surrounded by thousands; the door was opened, and expectation reached its highest pitch: a lady closely veiled, appears at the door, and rushes into the cab, accompanied by two officers. The mob gaze earnestly, and, as long as the cab stands, at the impenetrable countenance of the lady. The cab drives off with all speed to the prison. The crowd are satisfied, and disperse quietly; but, after all, the lady was not Miss Smith! 'Twas a mere ruse to get away the multitude—and a ruse which has been attempted several times already during the trial. Very soon after this trick had been played, Miss Smith left the Court on foot, her appearance being somewhat

altered, having on a differently-coloured veil from the one she had on in Court. She was accompanied by her brother and another gentleman. They entered a cab in High Street, and drove to Slateford, a station on the Caledonian Railway, by which she proceeded to Greenock, and it is understood she crossed the Clyde to her father's house at Row, on the Gareloch.

For some days a statement has been in circulation with reference to an important piece of evidence supplied to the Crown too late to be made any use of against the prisoner. The *Glasgow Herald* gives the following account of it:—On Monday last, a gentleman from Glasgow went into Edinburgh, and had an interview with the Crown authorities, where he made a revelation of a startling character, which might have had an important bearing on the trial of Madeleine Smith, had it been offered at an earlier period. This gentleman stated, as we are informed, that on a Sunday night about the time of L'Angelier's death, and between twelve and one o'clock on that night, he saw together two young persons, male and female, in the lane behind Mr Smith's Blythswood Square house, uttering words of endearment, and that the young man was attired in a dress similar to that which is proved to have been usually worn by L'Angelier. From other circumstances, the impression of this too-late witness is that the young female was not an ordinary street-walker, but a lady. We give this information as it has reached us from more than one respectable quarter. But it must not be forgotten that it is perfectly possible that the effect and character of such a revelation might have been materially altered and shaken under cross-examination. In England such a witness could, we believe, have been received while the trial was actually in progress, but by the more restricted, and possibly the more humane, practice of the Scotch law, the indictment and list of witnesses must be served upon the accused fifteen days before trial, and thereafter no addition can be made to the list.

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